

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
TUESDAY, SEPTEMBER 9, 2003**

8:30 a.m. – 9:00 a.m. Work Session – Operations Division Manager/Road District Maintenance Supervisors

- \*T 9:00 a.m. – 10:00 a.m. Public Works Department – Chal Martin, Director
1. Public Hearing – Consideration of Disposal of County Surplus Property
  2. Update – Solid Waste
  3. Discussion – Proposed Personal Services Agreement with R. W. Beck, Inc.
  4. Update – Skagit and Samish Water Rights
  5. Consideration of Signature – Personal Services Agreement with Berk and Associates
  6. Update – Baker Dam Relicensing
  7. Consideration of Signature – Amendment #3 to Personal Services Agreement #C20030036 with Pacific International Engineering, PLLC
  8. Consideration of Signature – Amendment #1 to Task Assignment #2 to Personal Services Agreement #C20030036 with Pacific International Engineering, PLLC
  9. Consideration of Signature – Amendment #1 to Task Assignment #3 to Personal Services Agreement #C20030036 with Pacific International Engineering, PLLC
  10. Miscellaneous

11:30 a.m. – 2:00 p.m. The Skagit County Historical Society's 2003 Annual Membership Meeting and Volunteer Appreciation Luncheon at the Shelter Bay Clubhouse (1 Shoshone Drive, La Conner)

The Skagit County Board of Commissioners met in regular session on Tuesday, September 9, 2003, with Commissioners Kenneth A. Dahlstedt, Ted W. Anderson, and Don Munks present.

**PUBLIC WORKS DEPARTMENT – CHAL MARTIN, DIRECTOR**

**1. Public Hearing – Consideration of Disposal of County Surplus Property.**

Dub Queen of the Public Works Department, presented a resolution for the disposal of County surplus property. The public auction will occur on Saturday, October 11, 2003 at 10:00 a.m. at the County road maintenance complex located on Highway 20 at Avon Street in Burlington. He indicated that the County will trade two 1998 Ford Crown Victoria cars to the Town of Concrete for a 1993 and a 1994 Chevrolet Caprice.

Commissioner Anderson made a motion to approve Resolution #2003-09 passed by the Town of Concrete Town Council authorizing the transfer. Commissioner Munks seconded the motion, which passed unanimously. He then motioned to approve a resolution for surplus property disposal as outlined by Mr. Queen, which was seconded by Commissioner Munks. The motion passed unanimously. **(Resolution No. R20030308)**

**2. Update – Solid Waste.**

Public Works Administrator, Dave Brookings, gave an update on solid waste issues. Commissioner Anderson immediately asked if the affected parties had signed off on the agreement as the objective is to get the cities to agree to our solid waste plan. Mr. Brookings said they have met with every city and town to explain where this issue is going. The results have been positive.

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Chairman Dahlstedt said the council members ultimately want to be the ones that will make the decision, not the mayors.

Mr. Brookings presented the proposed evening council meeting schedule for the cities and towns. The intent is for the department to have time before the councils to explain how solid waste works in Skagit County. October 30 is the tentative date proposed for a meeting with the municipalities. Mr. Brookings asked the Board if they were in agreement with the approach.

Commissioner Anderson remarked that the parties can either buy in or opt out, however, we need a commitment from the cities and towns as the County is in this until 2013 and they are only into it until 2007.

Chairman Dahlstedt said the options need to be laid on the table so the council members can make a decision. Commissioner Anderson commented that the weakness of the whole process boils down to a mayor and a solid waste director that make a decision and then leave the council members out of the loop. Those members have no knowledge of what is transpiring as there is no communication between them and the mayor.

Chal Martin, Director, noted that the issue of a second transfer station is wrapped into this whole picture as well and needs to be addressed. Commissioner Munks expressed concerns about the legal liability as to who has rights to move garbage in Skagit County. Waste Management says they will sue the County if the second station is not approved. To stay out of any legal issues we need to have assurance that we won't be sued by Rebanco if the second site does go in. We need to make sure we meet our debt payment obligations and ensure a safe facility.

Commissioner Anderson reiterated that the critical fact is to have the cities sign off on the agreement. Mr. Martin said that hopefully this process will result in a decision.

Chairman Dahlstedt emphasized that we need certainty in this process. Mr. Brookings indicated that the department will put together an outline addressing the process for the Board to review.

**3. Discussion – Proposed Personal Services Agreement with R. W. Beck, Inc.**

Mr. Brookings next discussed a proposed PSA with R. W. Beck, Inc. He stated that Public Works would like to hire the firm to review and evaluate proposed structural and operation changes to the Baker River Project to enhance flood control operations and other components of the Skagit River Feasibility Study. The contract value would be \$35,000 and would be covered in the budget.

The Board concurred with the recommendation as they feel it is critical to move forward, gather all the facts, be prepared and cover all bases. Flood storage is currently inadequate and additional storage should be provided upstream and it isn't. The floods of 1990 and 1995 proved that there isn't nearly enough storage.

Mr. Martin said the PSA with R. W. Beck, Inc. will be brought forward under next Monday's Consent Agenda.

**4. Update – Skagit and Samish Water Rights.**

Mr. Martin gave a brief update on the Skagit and Samish water rights issues. He indicated that the negotiating team is ready to put a draft agreement before the Board within the next couple of weeks. He also said the team is working together to put the finishing touches on proposals for mitigation when removing water from the Samish Basin.

Chairman Dahlstedt said there are movements within the tribal community to try and sever ties between Skagit Systems Cooperative and the Upper Skagit Indian Tribe. He wants the Tribe to have a voice in this process since they are the ones most affected.

**5. Consideration of Signature – Personal Services Agreement with Berk and Associates.**

Mr. Flude discussed a PSA between Skagit County and Berk & Associates. The contract would provide technical consulting services to the Skagit County Public Works Department in support of the Guemes Island Ferry operation, its involvement with the Ferry Committee, and Ferry riders, including the Guemes Island community. Services would be provided on an as-needed basis as requested by the Department and would encompass management analysis, meeting design and facilitation, and organizational development. Mr. Flude said that as part of this contract, Richard L. Kiesser would be involved with schedules and communications between the committee and staff of Public Works.

Commissioner Munks thought Berk and Associates would be a good choice and would like to see this process wrapped up so that it doesn't have to be rehashed year after year. With that, he motioned to approve the Personal Services Agreement as outlined by Mr. Flude. Commissioner Anderson seconded the motion, which passed with a unanimous vote. The dollar amount of the contract is \$76,000, however, because it will only be used on an as-needed basis, hopefully the whole amount will not be spent. **(Contract No. C20030387)**

**6. Update – Baker Dam Relicensing**

Mr. Brookings discussed the Baker Dam relicensing process. He stated that a solution team meeting was held on August 26, which included all stakeholders involved with the relicensing effort. There are two different studies to be conducted by Puget Sound Energy (PSE) regarding flood storage in Skagit County. Hopefully, both studies will be incorporated into the process. There was concern expressed by the stakeholders that two studies are actually taking place. The U.S. Army Corps of Engineers have said they will be unable to make a recommendation to the Federal Energy Regulation Committee (FERC) until 2008, which is bothersome as it is likely that the whole flood control issue may not get addressed.

Mr. Brookings introduced a letter addressed to the Baker Relicensing Solution Team. The letter documents the background and key points of interest related to this issue. Mr. Martin said as the issue is researched even further, he is convinced that not enough attention will be paid to flood storage that is available at those dams now.

Commissioner Anderson agreed and said if flood storage isn't addressed now during the relicensing process then it will never be addressed. This is an issue that should take precedence over any other as it's an issue of life and safety. Commissioner Munks added that with the amount of damage and the cost that flooding causes, it is inexcusable that the flood storage issue has never been addressed. The Corps needs to get on board. Commissioner Munks said he realizes the impacts that PSE is facing but the livelihood and safety of the citizens is more important.

Mr. Brookings indicated that the City of Mount Vernon is willing to partner with the County to look at mutual benefits as this must be a team effort.

Commissioner Anderson made a motion to approve sending a letter from the Board to the Baker Relicensing Solution Team as outlined by Mr. Brookings and Commissioner Munks seconded the motion. The motion passed with a unanimous vote.

**7. Consideration of Signature – Amendment #3 to Personal Services Agreement No. C20030036 with Pacific International Engineering, PLLC.**

Don Dixon of the Public Works Department presented Amendment #3 to PSA No. C20030036 with Pacific International Engineering, PLLC, which increases the compensation by \$229,220 for a new total of \$622,220. Skagit County is required to provide hydraulic engineering expertise for an evaluation of the optimal flood storage that can be utilized for Upper and Lower Baker Dams to reduce flood damages for the Skagit River floodplain. The additional funds will be used to modify and expand the scope of work for this project. In addition, \$75,000 will be used to provide additional survey and design work on the

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Burlington Northern Sante Fe Bridge replacement project. The Baker River Project and the Burlington Northern Sante Fe Bridge Project are both components of the Skagit River Flood Protection/Salmon Restoration Project.

Commissioner Anderson motioned to approve the amendment as outlined by Mr. Dixon. Commissioner Munks seconded the motion, which passed unanimously. **(Amendment No. A20030131)**

**8. Consideration of Signature – Amendment #1 to Task Assignment #2 to Personal Services Agreement #C20030036 with Pacific International Engineering, PLLC.**

Mr. Dixon next provided Amendment #1 to Task Assignment #2 to PSA No. C20030036 with Pacific International Engineering, PLLC. This amendment increases compensation by \$75,000 for a new total of \$133,000. Design of the Burlington Northern Santa Fe Bridge replacement project has proceeded to the stage where additional survey work is required. The additional funds will be used to perform this work. The Burlington Northern Santa Fe Bridge Project is a component of the Skagit River Flood Protection/Salmon Restoration Project.

Commissioner Anderson motioned to approve the amendment as outlined by Mr. Dixon. Commissioner Munks seconded the motion, which passed unanimously. **(Amendment No. A20030132)**

**9. Consideration of Signature – Amendment #1 to Task Assignment #3 to Personal Services Agreement No. C20030036 with Pacific International Engineering, PLLC.**

Lastly, Mr. Dixon presented Amendment #1 to Task Assignment #3 to PSA No. C20030036 with Pacific International Engineering, PLLC. This amendment increases compensation by \$154,220 for a new total of \$289,220. Skagit County is required to provide hydraulic engineering expertise for an evaluation of the optimal flood storage that can be utilized for Upper and Lower Baker Dams to reduce flood damages for the Skagit River floodplain. The additional funds will be used to modify and expand the scope of work for this project. The Baker River Project is a component of the Skagit River Flood Protection/Salmon Restoration Project.

Commissioner Anderson made a motion to approve the amendment as outlined by Mr. Dixon. Commissioner Munks seconded and the motion passed unanimously. **(Amendment No. A20030133)**

**10. Miscellaneous.**

There were no miscellaneous items to present.

**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, September 9, 2003, the Board by majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

Payroll warrants numbered 130853 through 131767 in the total dollar amount of \$959,058.19 (Transmittal No. P-34-03); and

Warrants numbered 152183 through 152247 from Clearing Fund 696 in the total dollar amount of \$122,775.56 (Transmittal No. C-105-03).

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**ADJOURNMENT.**

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

**BOARD OF COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON**

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Kenneth A. Dahlstedt, Chairman

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Ted W. Anderson, Commissioner

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Don Munks, Commissioner

ATTEST:

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