

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, JANUARY 3, 2005**

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| 8:00 a.m. – 8:45 a.m. | Work Session – Commissioners |
| 8:45 a.m. – 9:30 a.m. | Work Session – County Administrator |
| *T 10:00 a.m. – 11:00 a.m. | <u>Public Works – Chal Martin, Director</u> 1. Discussion – Baker Hydroelectric Project Flood Storage |
| 11:00 a.m. – 11:30 a.m. | Consent Agenda and Miscellaneous Items |
| 11:30 a.m. – 11:45 a.m. | Public Comment Period |
| 1:30 p.m. – 3:30 p.m. | Executive Session – Personnel, Litigation and Land Acquisition |

The Skagit County Board of Commissioners met in regular session on Monday, January 3, 2005, with Commissioners Don Munks and Kenneth A. Dahlstedt present. Commissioner Ted W. Anderson was excused to attend a National Forest Service Centennial celebration.

PUBLIC WORKS – CHAL MARTIN, DIRECTOR

Discussion – Baker Hydroelectric Project Flood Storage

Chal Martin, Public Works Director, reviewed excerpts of responses submitted to the Federal Energy Regulatory Commission by Puget Sound Energy, various resource agencies, Tribes and non-governmental agencies regarding the provision of additional flood storage.

The County had negotiated an agreement with Puget Sound Energy and 22 other entities, which officials thought would mean Lower Baker Dam would become part of the area needed for storage to fight floods. Mr. Martin said the utility and many of the other agencies have a different interpretation of the agreement. The County thought the agreement meant that 29,000 acre-feet of storage capacity each winter behind Lower Baker Dam would be provided starting in 2006. Puget Sound Energy thought the agreement meant that storage for flood control purposes may or may not be provided, depending on the results of a U.S. Army Corps of Engineers study due out in 2008. Mr. Martin indicated that the different interpretation came as a surprise since at the meetings where the agreement was worked out, it seemed like a clear-cut compromise.

Mr. Martin stated that the way Puget Sound Energy interprets the agreement, the County gets nothing more than it had before negotiations began. The Corps will conduct its own study and then has the power to take what flood-control capacity it needs. The agreement, in Mr. Martin's view, depended on whether Skagit County was successful in lobbying Congress for the money to pay for the storage. It didn't depend on the Corps, because County officials don't think they can depend on the Corps to authorize more flood-control capacity.

Mr. Martin said his fear is that the Corps will ultimately decide there's no justification for more flood control space. But the utility provided 29,000 acre-feet of space behind Lower Baker Dam in several recent floods, including the record flood of October 2003, proving that flood control behind the dam helps. The Corps currently requires flood control space only behind Upper Baker Dam.

After a lengthy discussion, Commissioner Dahlstedt suggested that the County's legal department be consulted on this matter in order to protect Skagit County's position on flood control.

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CONSENT AGENDA

Commissioner Dahlstedt motioned to approve the Consent Agenda for Monday, January 3, 2005, items 1 through 27. Commissioner Munks seconded the motion, which passed unanimously.

COMMISSIONER'S OFFICE:

1. Record of the Proceedings for Monday, December 20, 2004.
2. Record of the Proceedings for Tuesday, December 21, 2004.

BUDGET AND FINANCE:

3. Interlocal Agreement per **Resolution No. R20040383** with the Port of Skagit County for the Skagit Regional Airport Divisions 5 and 7 Project. The Agreement is effective upon execution and shall be effective for 24 months. Compensation to the Port shall be \$200,000 to be funded with Rural Distressed County sales tax. **(Contract No. C20050001)**
4. Resolution to authorize Hotel/Motel Tax funding allocations for 2005. **(Resolution No. R20050001)**
5. Resolution to call for a public hearing to amend the 2004 budget. The hearing is scheduled for January 18, 2005 at 10:45 a.m. **(Resolution No. R20050002)**

FACILITY MANAGEMENT:

6. Amendment No. 4 to Personal Services Agreement **C20020120** with Elliott W. Johnson, Inc. to provide additional professional services in preparation of Purchase and Sale Agreements for real property. The amendment will extend the contract to December 31, 2005, and add \$10,000 in additional compensation. **(Amendment No. A20050001)**

HEATH DEPARTMENT:

7. Amendment No. 13 to the State Department of Health "Consolidated Contract" **Contract No. C20020436**, which adds \$7,146 for a total compensation of \$1,271,636. **(Amendment No. A20050002)**

HUMAN RESOURCES:

8. Resolution to approve a sick leave transfer for an employee of the Skagit County Superior Court. **(Resolution No. R20050003)**
9. Resolution to approve a sick leave transfer for an employee of Skagit County Planning and Permit Center. **(Resolution No. R20050004)**

HUMAN SERVICES:

10. Personal Services Agreement with Catholic Community Services Northwest to assist in supporting the expansion of mental health services to East Skagit County, proving coping skills for grandparents raising grandchildren, and providing family treatment aid support. The agreement is effective January 1, 2005, through December 31, 2005. Compensation shall not exceed \$15,924. **(Contract No. C20050002)**
11. Personal Services Agreement with Compass Health to provide mental health services for the Children's Crisis Services and Developmentally Disabled Peer Counseling programs. The

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agreement is effective January 1, 2005, and will continue through December 31, 2005. Compensation shall be \$10,500. **(Contract No. C20050003)**

12. Personal Services Agreement with Washington Vocational Services for a monthly inclusive recreational and social activity to an average of 10 Skagit County residents with developmental disabilities. The agreement is effective January 1, 2005, through December 31, 2005. Compensation shall not exceed \$7,000. **(Contract No. C20050004)**

LAW LIBRARY:

13. Resolution for declaration of sole source provider for Westlaw subscriptions for the Skagit County Law Library. **(Resolution No. R20050005)**

PARKS AND RECREATION:

14. Contract with Wildwater River Tours, Inc. for launching commercial float trips on the Skagit River from the Howard Miller Steelhead Park. The contractor must provide a \$75 non-refundable permit fee and proof of valid insurance. Compensation to the County shall be 3% of the gross revenue. The contract is effective December 1, 2004, through November 30, 2005. **(Contract No. C20050005)**
15. Contract with BEWET for launching commercial float trips on the Skagit River from the Howard Miller Steelhead Park. The contractor must provide a \$75 non-refundable permit fee and proof of valid insurance. Compensation to the County shall be 3% of the gross revenue. The contract is effective December 1, 2004, through November 30, 2005. **(Contract No. C20050006)**
16. Contract with Northwest Adventure Center for launching commercial float trips on the Skagit River from the Howard Miller Steelhead Park. The contractor must provide a \$75 non-refundable permit fee and proof of valid insurance. Compensation to the County shall be 3% of the gross revenue. The contract is effective December 1, 2004, through November 30, 2005. **(Contract No. C20050007)**

RISK MANAGEMENT:

17. Personal Services Agreement with Allied Pacific Adjusting Group to provide professional adjusting services for property and casualty claims. The agreement is effective from December 31, 2004, through December 31, 2005. Compensation shall not exceed \$20,000. **(Contract No. C20050008)**

SENIOR SERVICES:

18. Approval of 2005 federal Corporation for National and Community Service Grant Award in the amount of \$63,433 to assist with carrying out a national service program authorized by the Domestic Volunteer Service Act of 1973. **(Contract No. C20050009)**

YOUTH AND FAMILY SERVICES:

19. Personal Services Agreement with Skagit Recovery Center to provide a variety of assessment, treatment, detoxification services, mental health, and recovery assistance. The contract shall be effective from January 1, 2005, through December 31, 2006. Compensation varies based on the service provided. **(Contract No. C20050010)**
20. Personal Services Agreement with Protect a Child Today to provide parents with child development and communication skills necessary to strengthen families that are referred by the County. The agreement is effective January 1, 2005, through December 31, 2006. Total annual compensation shall not exceed \$15,000. **(Contract No. C20050011)**

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21. Personal Services Agreement with Evan Freeman, Ph.D. to provide specialized child, adolescent, adult, and family assessments, evaluations, and other treatment services. The agreement is effective January 1, 2005, through December 31, 2006. Total annual compensation shall not exceed \$10,000. **(Contract No. C20050012)**

PUBLIC WORKS:

22. Amendment No. 3 to **Contract No. C20030425** with Peratrovich, Nottingham & Drage, Inc. The amendment changes the expiration date from February, 1, 2004, to February 1, 2005. The date was incorrect on Amendment No. 2, which was approved on October 11, 2004. All other terms and conditions shall remain in effect. **(Amendment No. A20050003)**
23. Amendment No. 2 to **Contract No. C20040050** with Reid Middleton, Inc. The amendment replaces Exhibit "D-2" Estimate of Professional Services with Exhibit "D-2" Fee Schedule, which is effective July 2004, through June 2005. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20050004)**
24. Vendor Services Agreement with P & G Landscaping, Inc. to provide landscaping services in conjunction with the Main Street Reconstruction Project for the Town of Concrete. Compensation shall not exceed \$9,999. The agreement will commence on November 22, 2004, and continue through November 22, 2005. **(Contract No. C20050013)**
25. Amendment No. 3 to Personal Services Agreement **C20030328** with GeoTest Services, Inc. for the Baker River Bridge Rehabilitation Project. The amendment will increase compensation by \$1,000 for a new total of \$18,140. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20050005)**
26. Amendment No. 1 to Personal Services Agreement **C20040033** with Widener and Associates. The amendment will extend the expiration date from December 31, 2004, to December 31, 2005 for the maintenance and repair plan for the Guemes Island and Anacortes Ferry Terminals. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20050006)**
27. Resolution to establish change funds for the Operations Division to conduct cash transactions for utility and access permit fees. **(Resolution No. R20050006)**

MISCELLANEOUS ITEMS

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, January 3, 2005, the Board by majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

Warrants numbered 186778 through 187287 from Clearing Fund 696 in the total dollar amount of \$2,350,346.42 (Transmittal No. C-167-04); and

Warrants numbered 187288 through 187615 from Clearing Fund 696 in the total dollar amount of \$1,918,821.43 (Transmittal No. C-168-04); and

Payroll warrants numbered 965023 through 965206 in the total dollar amount of \$204,662.15 (Transmittal No. P-48-04); and

Payroll warrants numbered 158385 through 159211 in the total dollar amount of \$964,388.85 (Transmittal No. P 49-04).

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PUBLIC COMMENT PERIOD

No one was present for the public comment period.

ADJOURNMENT

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

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Ted W. Anderson, Chairman

Don Munks, Commissioner

Kenneth A. Dahlstedt, Commissioner

ATTEST:

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