

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSINERS
MONDAY, FEBRUARY 7, 2005**

8:00 a.m. – 8:45 a.m.	Work Session – County Commissioners
8:45 a.m. – 9:30 a.m.	Work Session – County Administrator
*T 9:30 a.m. – 10:00 a.m.	Discussion/Possible Action – Solid Waste Request For Proposals
10:00 a.m. – 10:45 a.m.	Department Head Meeting
*T 10:45 a.m. – 11:00 a.m.	Resolution – Authorizing a Public Hearing For the Formation of a Rural Partial-County Library District Within the Unincorporated Areas of the Anacortes, Burlington-Edison, Conway, Mount Vernon, and Sedro-Woolley School Districts
11:00 a.m. – 11:30 a.m.	Consent Agenda and Miscellaneous items
11:30 a.m. – 11:45 a.m.	Public Comment Period
11:45 a.m. – 12:00 p.m.	Discussion/Possible Action – Request by the Prosecuting Attorney For Supplemental Funding For a .5 FTE Attorney Position as a Match to the .5 FTE Attorney Position Provided For Under a Domestic Violence Grant
*T 1:30 p.m. – 2:00 p.m.	Discussion/Possible Action – Resolution Authorizing the Adoption of a Skagit County Parks and Recreation “Adopt-a-Trail/Park” Program
2:00 p.m. – 4:00 p.m.	Executive Session – Personnel, Litigation and Land Acquisition

The Skagit County Board of Commissioners met in regular session on Monday, February 7, 2005, with Commissioners Don Munks, Kenneth A. Dahlstedt and Ted W. Anderson present.

DISCUSSION/POSSIBLE ACTION – SOLID WASTE REQUEST FOR PROPOSALS.

County Administrator Gary Rowe presented a memorandum to the Board of County Commissioners and reviewed a draft of the Solid Waste Management Plan (SWMP). Mr. Rowe said Skagit County has the ultimate responsibility for managing the Solid Waste System as provided by state law. The SWMP policy allows for owners/operators of private solid waste facilities (Section 7.2.3F) to be part of the System, either by their own initiative or by invitation through a procurement process. The policy outlines several policies/conditions that need to be met for a private solid waste facility to be designated as a component of the System.

Under the new provision, anyone proposing a new garbage-handling facility would be required to submit a financial analysis showing the facility’s impact on existing facilities. Currently, all garbage in the County flows through the County-owned transfer station on Ovenell Road. The County charges cities to accept the garbage, and some of the money goes to pay the County’s debts. Those debts come from construction of a garbage incinerator, which was converted to a transfer station in 1994, and the 1994 closure of the Inman landfill.

Commissioner Anderson questioned the requirement of having the operator of a private solid waste facility provide a financial plan and stated that he didn’t like the wording that is being proposed.

Mr. Rowe responded that the language he is proposing is language that already exists in the plan. Mr. Rowe offered to change the wording of the Project Initiation section, which satisfied Commissioner Anderson.

**RECORD OF THE PROCEEDINGS
MONDAY, FEBRUARY 7, 2005
PAGE NO. 2**

Mr. Rowe indicated that the Commissioner's plan allows competition with the County's facility. The cities have opposed that, fearing that if less garbage goes to the County's station, they will charge more per ton so that the County can keep up on its payments. The cities signed an agreement last year pledging to take their garbage to the County's facility until 2013. Mr. Rowe said he hoped the change, if approved, would answer the cities' concerns.

The Commissioners directed staff to begin preparing a request for proposals for the Solid Waste System. The request will actually be prepared by a consultant, and won't be ready for approximately 18 months.

Commissioner Anderson motioned to adopt the memorandum as outlined by Mr. Rowe, including changes to the language as well as the Scope of Work for the Request for Proposals project. Commissioner Dahlstedt seconded the motion, which passed unanimously.

DEPARTMENT HEAD MEETING.

Tim Holloran, Senior Services Director, announced a community fundraising event for the Meals On Wheels program for homebound senior citizens of Skagit County. The fundraiser has been named "March for Meals" and will take place on Saturday, March 19, 2005, at five different high school track locations. Participants must request pledges to sponsor their march.

Commissioner Anderson said he would sponsor the Town of Concrete. Chairman Munks indicated that he would sponsor the City of Anacortes.

Chairman Munks reminded everyone that Friday, February 11, 2005, is the last day to purchase raffle tickets, which are being sold to help with the Tsunami relief efforts.

Chairman Munks also announced the second annual chili cook-off, sponsored by the Skagit County Employee Recognition Committee. It will take place on Wednesday, February 23, 2005, in the Health Department Lounge.

Commissioner Anderson said general carpentry help will be needed when modulars are delivered for the Alger and Hamilton areas. They will be used as food banks and will both be able to meet the needs of the disabled. Commissioner Anderson said that donations of concrete and gravel would also be appreciated.

Nancy Brown, Youth & Family Services Director, announced that Juvenile Court has received a grant that will address Fetal Alcohol Syndrome and will focus on educational classes. Ms. Brown said Fetal Alcohol Syndrome is the number one cause of mental retardation for babies and creates lifelong problems.

Karen Marshall, Director of the Skagit County Historical Museum announced several upcoming events for the year.

Health Department Director Peter Browning thanked everyone for their United Way contributions. Sheriff Rick Grimstead was given the title of United Way Volunteer of the Year.

Sheriff Grimstead announced that there will now be a law enforcement presence on the Drug Force Board. Officers will check on those participants of Drug Court as it has been proven that the success rate of those being monitored rises by 70%.

Communications Director Dan Berentson announced that the Skagit County Quarterly Report is near completion and approximately 95% of all households in the County will receive it. If anyone has any information to add to it, they can contact him.

RESOLUTION – AUTHORIZING A PUBLIC HEARING FOR THE FORMATION OF A RURAL PARTIAL-COUNTY LIBRARY DISTRICT WITHIN THE UNINCORPORATED AREAS OF THE ANACORTES, BURLINGTON-EDISON, CONWAY, MOUNT VERNON, AND SEDRO-WOOLLEY SCHOOL DISTRICTS.

Administrator Gary Rowe stated that a petition was received from the Skagit County Auditor on November 12, 2004, proposing the formation of a rural partial-county library district, including the unincorporated areas of the Anacortes, Burlington-Edison, Conway, Mount Vernon, and Sedro-Woolley School Districts. The signatures were reviewed and an Affidavit of Sufficiency was issued on January 4, 2005. RCW 27.12.470 outlines the requirements to form such a district, according to Mr. Rowe.

Mr. Rowe advised the Board that a public hearing is necessary and asked if they wanted to hold it in the evening, which would allow broader citizen participation. The Board agreed that an evening public hearing would be in everyone's best interest.

Commissioner Dahlstedt motioned to approve the Resolution authorizing a public hearing, which will be held on Monday, February 28, 2005, at 6:30 p.m. The motion was seconded by Commissioner Anderson and passed unanimously. **R200500039**

CONSENT AGENDA.

Commissioner Dahlstedt motioned to approve the Consent Agenda for Monday, February 7, 2005, items 1 through 33. Commissioner Anderson seconded the motion, which passed unanimously.

COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Monday, January 24, 2005.
2. Record of the Proceedings for Tuesday, January 25, 2005.
3. Resolution appointing Dr. Don Slack to the Skagit County Emergency Medical Services Commission. Dr. Slack shall fill the position of EMS Medical Program Director for the remainder of Dr. Ronald Richeson's term as he has retired. The term will expire on December 31, 2006. **(Resolution No. R20050040)**

BUDGET AND FINANCE:

4. Funding Agreement between Skagit County and Northwest Youth Services, which allows for the distribution of low-income housing funds in the amount of \$36,000, pursuant to Substitute House Bill 2060. **(Contract No. C20050075)**
5. Funding Agreement between Skagit County and Skagit County Community Action Agency, which allows for the distribution of low-income housing funds in the amount of \$56,000, pursuant to Substitute House Bill 2060. **(Contract No. C20050076)**
6. Funding Agreement between Skagit County and Skagit Habitat for Humanity, which allows for the distribution of low-income housing funds in the amount of \$35,000, pursuant to Substitute House Bill 2060. **(Contract No. C20050077)**
7. Amendment No. 3 to Agreement **No. C20030199** between Skagit County and Aero-Skagit Emergency Services, Inc. The amendment extends the term of the agreement through December 31, 2005, and provides funding in the amount of \$241,067 for 2005 EMS ambulance services. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20050025)**

**RECORD OF THE PROCEEDINGS
MONDAY, FEBRUARY 7, 2005
PAGE NO. 4**

8. Memorandum of Agreement with the Skagit Valley Tulip Festival to provide funds for the publication and distribution of the Skagit Valley Tulip Festival 2005 Brochure. The agreement shall commence on January 1, 2005, and continue through December 31, 2005. The County will provide \$8,000 of hotel/motel funding. **(Contract No. C20050078)**
9. Memorandum of Agreement with the Skagit County Chamber Executive Director's Association to provide funds for the implementation of the 2005 Marketing Plan for Skagit County. The agreement shall commence on January 1, 2005, and continue through December 31, 2005. The County will provide \$35,000 of hotel/motel funding. **(Contract No. C20050079)**
10. Interlocal Cooperative Agreement between Skagit County and the City of Mount Vernon for the "College Way, Freeway Drive, Steward Road" project. The agreement shall commence upon the date of execution and continue for 24 months. Compensation of \$330,000 will be paid for with public facilities funding, per Resolution No. R20040383. **(Contract No. C20050080)**

EMERGENCY MANAGEMENT:

11. Personal Services Agreement with Cindy Wishert to develop a curriculum, and prepare instructional aids and PowerPoint presentations for a school-specific 3-hour Community Emergency Response Team (CERT) mini-course for delivery to local school district disaster response personnel. The agreement shall commence on January 20, 2005, and continue until October 1, 2005. Total compensation for completion of all services shall total \$1,995. **(Contract No. C20050081)**

HEALTH DEPARTMENT:

12. Resolution AND Interlocal Cooperative Agreement between Skagit County and Skagit Valley Hospital, which provides for the continuation of "Welcome Baby!" program services during hospital visits related to families of newborns. Services provided include resource and referral information, developmental education, in-service training, and discharge planning assistance as requested and as appropriate. The agreement shall commence on January 1, 2005, and continue through December 31, 2006. This is a non-monetary agreement. **(Resolution No. R20050041 AND Contract No. C20050082)**

HUMAN RESOURCES:

13. Resolution authorizing the donation of sick leave for an employee of the Law Library. **(Resolution No. R20050042)**
14. Personal Services Agreement with John A. Follis of Anderson and Hunter Law Firm to provide Worker's Compensation representation as requested by the Skagit County Risk Management Department. The agreement shall commence on January 1, 2005, and continue through December 31, 2005. Compensation shall not exceed a total of \$5,000. **(Contract No. C20050083)**

PARKS AND RECREATION:

15. Contract with Pacific Northwest Float Trips 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. C20050084)**
16. Contract with Youth Dynamics 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

**RECORD OF THE PROCEEDINGS
MONDAY, FEBRUARY 7, 2005
PAGE NO. 5**

contract is effective December 1, 2004, through November 30, 2005. **(Contract No. C20050085)**

PLANNING AND DEVELOPMENT SERVICES:

17. Resolution authorizing the transfer of Edison Subarea funds in the amount of \$1,547.47 from Fund #150 to Fund #216. This action is necessary for the invoice payment of the Centennial Clean Water Fund Loan with the Washington State Department of Ecology. **(Resolution No. R20050043)**
18. Resolution indicating the decision of the Skagit County Commissioners to remand the Hearing Examiner's Decision of Denial for the Terek Shoreline and Land Use Variance Request, PL03-0694 and PL03-0695, back to the Hearing Examiner for further consideration and clarification of the information concerning use of the structure, impacts on neighboring properties, emergency access and fire risk. **(Resolution No. R2005044)**
19. Personal Services Agreement with Water and Wastewater Services, LLC to provide Operations and Maintenance services for the Skagit County Cleanwater District Edison Subarea town collection system. The agreement shall commence on January 1, 2005, and continue through December 31, 2006. Compensation is expected to total \$15,572.37. **(Contract No. C20050086)**

PROSECUTOR'S OFFICE:

20. Partial Satisfaction and Release of Judgment in the Halvorson, et al. v. Skagit County case as it relates to the Verdose Dairy, who shall pay \$1,263.25 for said release. **(Approved)**
21. Interlocal Cooperative Agreement, per Resolution No. 16389, between Skagit County and Whatcom County's Northwest Minichain to provide transportation services for prisoners. The agreement shall commence on January 1, 2005, and continue through December 31, 2005. Compensation is not to exceed \$38,747. **(Contract No. C20050087)**

SUPERIOR COURT:

22. Amendment No. 1 to Personal Services Agreement **No. C20030508** with Northwest Family and Children's Services, which increases the compensation amount by \$7,000 for a new contract total of \$97,000. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20050026)**

YOUTH AND FAMILY SERVICES:

23. Interlocal Cooperative Agreement, per Resolution No. R20040391, between Skagit County and the Swinomish Indian Tribal Community, which would allow the Tribe, as a sub-grantee of the Juvenile Justice Grant, to provide juvenile justice services to youth who face a multitude of difficulties, such as delinquency and/or substance abuse. The Tribe will also provide a Tribal Compliance Officer as a component of the grant. The agreement shall commence on July 1, 2004, and continue through June 30, 2005. Compensation is not to exceed a total of \$10,000. **(Contract No. C20050088)**
24. Resolution AND Interlocal Cooperative Agreement between Skagit County and the State of Washington Administrative Office of the Courts, which will allow the purchase and installation of one Hewlett Packard LaserJet 4250DTN laser printer as part of the new Juvenile and Corrections System. The agreement shall commence on January 1, 2005, and continue through February 28, 2005. Compensation is not to exceed a total of \$1,850. **(Resolution No. R20050045 AND Contract No. C20050089)**

**RECORD OF THE PROCEEDINGS
MONDAY, FEBRUARY 7, 2005
PAGE NO. 6**

PUBLIC WORKS DEPARTMENT:

25. Resolution calling for bids for road maintenance materials for the period of April 1, 2005, through March 31, 2006. Annual purchases are expected to exceed \$25,000. The County reserves the right to award the bid to more than one vendor, per item, when hauling distance is a factor. The bid opening will be held on Monday, February 28, 2005, at 11:45 a.m. **(Resolution No. R20050046)**
26. Resolution calling for a public hearing to consider Revision No. 2 to the 2005-2010 Six-Year Transportation Improvement Program (TIP). The hearing will be held on Monday, February 28, 2005, at 10:00 a.m. The project which is being added is the Mount Vernon College Way/Riverside Drive Intersection Project. **(Resolution No. R20050047)**
27. Change Order #5 with Snelson Companies, Inc. for the Main Street Reconstruction Project for the Town of Concrete, ES9700-5. This change order will add, modify or delete bid items, thereby reducing the amount of the contract by \$26,518.64 for a new estimated contract total of \$1,305,474.14. **(Contract No. C20050090)**
28. Amendment No. 1 to Interagency Agreement **No. C20040308** between Skagit County, the State of Washington Department of Natural Resources (DNR) and the Skagit Marine Resources Committee. DNR has released an additional \$7,000 in funding for the removal of creosote-treated wood from several Skagit County beaches. The new contract total is \$27,000. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20050027)**
29. Amendment No. 1 to Interlocal Cooperative Agreement **No. 05093** between Skagit County and the City of Sedro-Woolley regarding the State Route 20 Intersection Improvements Project. The amendment extends the expiration date to December 31, 2006. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20050028)**
30. Resolution amending Resolution **No. R20040289**, which updates the current Solid Waste Advisory Committee (SWAC) membership for 2005. The SWAC Chair for 2005 is Scott Sutherland and Vice-Chair is Leo Jacobs. **(Resolution No. R20050048)**
31. Supplemental No. 1 to Local Agency Standard Consultant Agreement **No. C20040154** with Materials Testing & Consulting, Inc. for work related to the Guemes Island Parking Lot Project. The supplemental agreement extends the termination date to December 31, 2005. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20050029)**
32. Amendment No. 2 to Vendor Services Agreement **No. C20030300** with Reisner Distributors, Inc., which adds an additional \$40,000 to the original contract to cover an unanticipated fuel cost increase for the Guemes Island Ferry. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20050030)**
33. Supplemental Agreement No. 4 to Local Agency Standard Consultant Agreement **No. 05145** with KPFF relating to the Guemes Island Parking Lot Project. The supplemental agreement extends the termination date of the contract to December 31, 2005. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20050031)**

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.

**RECORD OF THE PROCEEDINGS
MONDAY, FEBRUARY 7, 2005
PAGE NO. 7**

As of this date, February 7, 2005, the Board by majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

ACH Transfer Request Form and Certification to Premera Blue Cross from Clearing Fund 696 in the total dollar amount of \$37,588.67 (Transmittal No. C-08-05); and

Purchase Card Electronic Payment Certification Form to JP MORGAN CHASE from Clearing Fund 696 in the total dollar amount of \$37,741.58 (Transmittal No. C-11-05); and

ACH Transfer Request Form and Certification to Xpress Flex from Clearing Fund 696 in the total dollar amount of \$314.00 (Transmittal No. C-12-05); and

ACH Transfer Request Form and Certification to Premera Blue Cross from Clearing Fund 696 in the total dollar amount of \$77,107.37 (Transmittal No. C-13-05); and

Warrants numbered 188793 through 189910 from Clearing Fund 696 in the total dollar amount of \$1,226,568.35 (Transmittal No. C-14-05); and

ACH Transfer Request Form and Certification to Premera Blue Cross from Clearing Fund 696 in the total dollar amount of \$52,734.40 (Transmittal No. C-15-05); and

Warrants numbered 189911 through 190324 from Clearing Fund 696 in the total dollar amount of \$718,514.21 (Transmittal No. C-16-05).

PUBLIC COMMENT PERIOD.

John Garner, 15331 Cottonwood Lane, Mount Vernon, said that he is glad to hear that the Commissioners are taking action on flood control, as this subject is very dear to his heart. He indicated that the Island County Commissioners and Snohomish County need to offer their help in fighting Puget Sound Energy for additional flood storage. Mr. Gardner asked the Board to begin recruitment procedures so that other counties can join in the fight and present a united front.

DISCUSSION/POSSIBLE ACTION – REQUEST BY THE PROSECUTING ATTORNEY FOR SUPPLEMENTAL FUNDING FOR A .5 FTE ATTORNEY POSITION AS A MATCH TO THE .5 FTE ATTORNEY POSITION PROVIDED FOR UNDER A DOMESTIC VIOLENCE GRANT.

Tom Seguire, Prosecuting Attorney, outlined his request for an additional attorney for his Department.

Commissioner Dahlstedt stated that if the Commissioners supported this addition, it would be with the understanding that the person who was hired would only be hired for the duration of the grant.

Chairman Munks asked Mr. Seguire if he has gone to the cities and asked for increased funding from them. Mr. Seguire said that he hasn't talked to them about specific funding, but has provided them with a list of cases that are backlogged and asked if these were people that need to be prosecuted. Chairman Munks said there needs to be a balance as it is unreasonable to prosecute every case that comes forward.

Commissioner Dahlstedt motioned to approve the request as outlined by Mr. Seguire.

Commissioner Anderson said that approving this request will only spark a similar request from the Public Defender's Office. He stated that the County will not go bankrupt over law and justice. Commissioner Anderson said it will be tough to balance the budget next year and while he is sympathetic to Mr. Seguire's request, he can't support it.

Chairman Munks asked Mr. Seguire to talk with the cities about partnering financially since most of the cases that the County prosecutes are derived from the cities.

**RECORD OF THE PROCEEDINGS
MONDAY, FEBRUARY 7, 2005
PAGE NO. 8**

Mr. Rowe indicated that all the cities pay into the general fund, which is the fund from where this request for money would be coming.

Chairman Munks said he understands; however, he wants Mr. Seguire to pursue the request anyway.

The motion died for a lack of a second.

DISCUSSION/POSSIBLE ACTION – RESOLUTION AUTHORIZING THE ADOPTION OF A SKAGIT COUNTY PARKS AND RECREATION “ADOPT-A-TRAIL/PARK” PROGRAM.

Bob Vaux, Parks and Recreation Director, outlined a Resolution, which would establish an Adopt-A-Trail or Park Program.

Commissioner Anderson said it is a very innovative approach; it is a program the County needs and he is very supportive of it.

Commissioner Dahlstedt agreed and said that anytime the public volunteers to invest their time in our County's parks; it is wonderful support that is critically needed. Chairman Munks concurred.

Commissioner Dahlstedt motioned to approve the Resolution as outlined by Mr. Vaux. Commissioner Anderson seconded the motion, which passed unanimously. **(Resolution No. R20050049)**

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, Certified Municipal Clerk of the Board
Skagit County Board of Commissioners