

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
MONDAY, APRIL 4, 2005**

- 8:00 a.m. – 8:45 a.m.                      Work Session – Commissioners
- 8:45 a.m. – 9:30 a.m.                      Work Session – County Administrator
- 9:45 a.m. – 10:00 a.m.                      Bid Opening for Custer Field Lighting Project
- \*T** 10:00 a.m. – 11:00 a.m.                      Public Works - Chal Martin, Director
1. Discussion/Possible Signature: Amendment No. 2 to Contract No. C20040445 with HDR Engineering to Evaluate Equipment Replacement Options at the Skagit County Transfer Station on Ovenell Road
  2. Miscellaneous
- 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.                      Recognition of Dyvon Havens, Retiring WSU Cooperative Extension Employee
- \*T** 1:30 p.m. – 2:00 p.m.                      Discussion and Possible Action on Countywide Vote-By-Mail
- 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, April 4, 2005, with Commissioners Don Munks and Kenneth A. Dahlstedt present. Commissioner Ted W. Anderson's absence was excused.

**BID OPENING – CUSTER FIELD LIGHTING PROJECT.**

Brian Adams, Operations and Land Manager, and Tawni Helms, Administrative Coordinator for the Parks and Recreation Department, opened the following bids for the Custer Field Lighting Project:

CTS Northwest, Inc.  
P. O. Box 3435  
Federal Way, WA 98063  
Total Bid: \$176,146.75

Sail Electric Inc.  
911 Slater Road  
Bellingham, WA 98226  
Total Bid: \$155,839.98

Dutchess Construction  
P. O. Box 31548  
Bellingham, WA 98228  
Total Bid: \$164,006.48

Service Electric  
P. O. Box 1489  
Snohomish, WA 98291  
Total Bid: \$167,521.20

**RECORD OF THE PROCEEDINGS  
MONDAY, APRIL 4, 2005  
PAGE NO. 2**

Mr. Adams said the bids would be reviewed and a recommendation would be forthcoming.

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

**1. Discussion/Possible Signature – Amendment No. 2 to Contract No. C20040445 with HDR Engineering to Evaluate Equipment Replacement Options at the Skagit County Transfer Station on Ovenell Road.**

Public Works Administrator Dave Brookings presented Amendment No. 2 to a Personal Services Agreement with HDR Engineering. He explained that the amendment would allow the contractor to proceed with Task 1, which is to evaluate equipment replacement options at the Skagit County Transfer Station on Ovenell Road and to make recommendations for the option to pursue Task 2. Task 2 would allow the contractor to assist in preparation and bid-performance specifications.

Mr. Brookings said representatives from HDR Engineering are scheduled to meet with each Commissioner on Wednesday, April 6, 2005, to tour the Transfer Station and explore different alternatives. He indicated that a final report would be available in approximately 60 days.

**2. Miscellaneous.**

- a) Public Works Engineer Steve Flude reported that the Guemes Ferry has been out of service since the middle of last week and is currently dry-docked at Dakota Creek. Repairs are going well and the ferry should be back in service on Wednesday, April 6, 2005. The total cost of repairs, dry-docking, staff time and private carriers to transport passengers will be approximately \$100,000. Mr. Flude advised that because of the interruption to ferry service, the expiration date for the “frequent user’s ticket book” would be extended.
- b) Mr. Brookings reported that HDR Engineering has completed the Transfer Station Efficiency Study, which will be distributed today. A work session is scheduled with the Commissioners on Tuesday, April 19, 2005, to discuss the report in detail.
- c) Gary Sorenson, Public Works Solid Waste, provided photographs of a major illegal dumping site, which was cleaned up by Laura Kahn and her litter crew. Mr. Sorenson said the crew spent 5 days hauling out 191 pounds of trash and he commended them for their efforts.

Commissioner Dahlstedt said it is important for citizens to be involved in reporting illegal dumping because we are all ultimately responsible for paying for it.

**CONSENT AGENDA.**

Commissioner Dahlstedt motioned to approve the Consent Agenda for Monday, April 4, 2005, items 1 through 4 and items 5 through 31. Item 4 was removed and will be addressed during this afternoon’s discussion regarding a Vote-by-Mail proposal. The motion was seconded by Chairman Munks and passed unanimously.

**COMMISSIONER’S OFFICE:**

1. Record of the Proceedings for Tuesday, March 22, 2005.
2. Record of the Proceedings for Monday, March 28, 2005.
3. Resolution to call for bids for County legal printing for 2005-2006. The bid opening is scheduled for April 25, 2005, at 10:00 a.m. **(Resolution No. R20050121)**

**RECORD OF THE PROCEEDINGS  
MONDAY, APRIL 4, 2005  
PAGE NO. 3**

**ADMINISTRATIVE SERVICES:**

4. Resolution to replace **Resolution No. R20050080** for reimbursement for use of personal vehicles by elected officials. **(Resolution No. R20050122)**

**AUDITOR:**

5. Resolution AND HAVA (Help America Vote Act) Grant Agreement with the Washington State Secretary of State's Office to upgrade Skagit County's ballot tabulation system to meet HAVA requirements. Compensation to the County will be approximately \$313,000. **(This item was removed and will be considered at 1:30 p.m.)**

**BUDGET AND FINANCE:**

6. Resolution to call for a public hearing for a budget amendment for the first quarter of 2005. The hearing is scheduled for April 18, 2005, at 11:45 a.m. **(Resolution No. R20050123)**
7. Resolution amending **Resolution No. R20050072** to change the first interest payment date of limited tax general obligation and refunding bonds from December 1, 2005, to June 1, 2005. **(Resolution No. R20050124)**

**DISTRICT COURT:**

8. Amendment No. 2 to **Contract No. C20030047** with the City of Sedro-Woolley for probation services. The amendment will extend the contract date from December 31, 2004, to December 31, 2005. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20050070)**
9. Amendment No. 2 to **Contract No. C20030011** with the City of Anacortes for probation services. The amendment will extend the contract date from December 31, 2004, to December 31, 2005. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20050071)**
10. Amendment No. 2 to **Contract No. C20030134** with the City of Mount Vernon for probation services. The amendment will extend the contract date from December 31, 2004, to December 31, 2005. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20050072)**
11. Amendment No. 2 to **Contract No. C20030023** with the City of Burlington for probation services. The amendment will extend the contract date from December 31, 2004, to December 31, 2005. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20050073)**

**HUMAN RESOURCES**

12. Resolution for approval of sick leave transfer for an employee of Skagit County Superior Court. **(Resolution No. R20050125)**
13. Resolution for approval of sick leave transfer for an employee of Skagit County Clerk's office. **(Resolution No. R20050126)**
14. Resolution for approval of sick leave transfer for an employee of Skagit County Sheriff's office. **(Resolution No. R20050127)**

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

15. Memorandum of Understanding to participate in the Washington State Association of Counties County Workplace Safety Alliance Program. The membership will commence on April 1, 2005. **(Contract No. C20050156)**

**HUMAN SERVICES:**

16. Amendment No. 3 to **Contract No. C20030354** to **delete Amendment A20040148** which erroneously decreased the amount allocated for Substance Innovative CJTA services by \$4,573. The amendment also reallocates funds between modalities. **(Amendment No. A20050074)**
17. Amendment No. 3 to **Contract No. C20030356** with Sea Mar Community Health Centers to reallocate funds between modalities and adjust required services hours. The changes do not affect the total amount of the contract, which remains at \$95,015. All other terms and conditions of the original contract, including Amendments No. 1 and 2, shall remain in effect. **(Amendment No. A20050075)**

**INFORMATION SERVICES:**

18. Interlocal Cooperative Agreement AND Amendment No. 5 to Interlocal Agreement **No 4487** with the City of Mount Vernon to modify the services terms and conditions for the Spillman Public Safety System. The amendment is effective from January 1, 2005, through December 31, 2008. Compensation shall be \$25,000 annually **(Resolution No. R20050128 AND Amendment No. A20050076)**.
19. Agreement with Highline Corporation to implement, install, and support a Human Resources system for Skagit County. Compensation shall be \$400,000. The agreement is effective upon execution. **(Contract No. C20050157)**

**PARKS & RECREATION:**

20. Personal Services Agreement with Skagit Valley Softball Umpires Association to officiate league and tournament softball games. Compensation is on a per-game basis. The agreement is effective April 1, 2005, through December 31, 2006. **(Contract No. C20050158)**

**PLANNING & DEVELOPMENT SERVICES:**

21. Ordinance adopting an amendment to the Comprehensive Parks and Recreation Plan. **(Ordinance No. O20050006)**
22. Amendment No. 9 to **Contract No. 004771** with Reid Middleton, Inc. for hourly consulting services to help complete the review of the Bayview Ridge Subarea Plan. Compensation shall be increased by \$15,000 for a new total of \$106,142. The amendment extends the contract until December 31, 2005. **(Amendment No. A20050077)**

**SUPERIOR COURT:**

23. Resolution abolishing the petty cash fund for Superior Court Drug Court. **(Resolution No. R20050129)**

**PUBLIC WORKS:**

24. Letters to Congressman Larsen and Senator Murray expressing support of the collaborative process led by Snohomish County to develop a Sauk River Management Plan and requesting \$300,000 in federal funds. **(Approved)**

**RECORD OF THE PROCEEDINGS**  
**MONDAY, APRIL 4, 2005**  
**PAGE NO. 5**

25. Letters to Senators Murray and Cantwell and Congressman Larsen for support regarding the passage of Marine Debris Bill SB 362. **(Approved)**
26. Resolution to award the South Fork Bridge #4008 Deck Overlay project to Concrete Barrier, Inc. in the amount of \$385,296. **(Resolution No. R20050130)**
27. Resolution to writing off uncollectible debts for the Solid Waste Division. **(Resolution No. R20050131)**
28. Personal Services Agreement with AquaTechnex, LLC to continue to implement the control strategy to manage populations of Brazilian elodea and other aquatic invasive species at Big Lake. Compensation shall not exceed \$101,700 over a two-year period. The services will be funded by assessments collected from residents of Lake Management District #1. The agreement is effective from March 14, 2005, through March 14, 2007. **(Contract No. C20050159)**
29. County Turnback Agreement Number TB 1-0189 with the State of Washington, Department of Transportation for the SR20, Fruitdale Road Intersection, WSDOT Project: XL 1136. **(Contract No. C20050160)**
30. Vendor Services Agreement with M & M Recycle, Inc. for pulverizing various County roads. Maximum compensation shall be \$24,999. The agreement is effective March 21, 2005, through March 21, 2006. **(Contract No. C20050161)**
31. Amendment No. 3 to Personal Services **Contract No. C20040406** with Hardin-Davis, Inc. to increase the amount of Task 4 legal services by \$15,000 for a new contract total of \$80,000. All other terms and conditions shall remain in effect. **(Amendment No. A20050078)**

**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, April 4, 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 \$127,107.04 (Transmittal No. C-41-05); and

ACH Transfer Request Form and Certification to Premera Blue Cross from Clearing Fund 696 in the total dollar amount of \$53,737.50 (Transmittal No. C-42-05); and

Warrant number 194226 from Clearing Fund 696 in the total dollar amount of \$44,708.10 (Transmittal No. C-43-05); and

Warrants numbered 194227 through 194595 from Clearing Fund 696 in the total dollar amount of \$418,172.26 (Transmittal No. C-44-05).

**PUBLIC COMMENT PERIOD.**

David Allen, 15547 Flinn Road, Bow, informed the Board that he came before them last December regarding flooding issues on Flinn Road. At that time, the Commissioners advised him that they would look into the problem. Mr. Allen explained what has occurred since that time with regard to flooding; however, in the course of dealing with the Planning Department to find a solution, he has become aware that there is a zoning issue with his property that needs to be addressed right away.

**RECORD OF THE PROCEEDINGS  
MONDAY, APRIL 4, 2005  
PAGE NO. 6**

After a lengthy discussion, Chairman Munks advised Mr. Allen that he would check with staff members familiar with his case and have someone from Planning and Development Services contact him.

**RECOGNITION OF DYVON HAVENS, RETIRING WSU COOPERATIVE EXTENSION EMPLOYEE.**

Ned Zaugg, Washington State Cooperative Extension Director, said it has been a pleasure working with Dyvon Havens and explained the value of Ms. Havens' contributions to Skagit County, including her work launching many special programs including the "Festival of Family Farms."

Jim Croft, Northwest District Director for the Washington State University Extension expressed his deep appreciation and gratitude to Ms. Havens, on behalf of the University.

Commissioner Dahlstedt read a proclamation proclaiming the week of April 4-8, 2005, as Dyvon Havens Public Appreciation Week.

Chairman Munks and Commissioner Dahlstedt then presented a plaque to Ms. Havens, who in turn thanked the Commissioners and those in the audience for their support over the last 17 years.

**DISCUSSION AND POSSIBLE ACTION ON COUNTYWIDE VOTE-BY-MAIL PROPOSAL.**

Skagit County Auditor Norma Brummett advised that when the Help America Vote Act was passed in 2002, it required the acquisition of Direct Recording Electronics (DRE) in every polling location. Ms. Brummett said the cost to purchase DREs for each location is estimated be between \$700,000 and \$800,000 and would create a direct, unnecessary burden on the taxpayers of Skagit County. However, if the County were to convert to all vote-by-mail, the cost would be approximately \$400,000, of which \$313,000 would be available in federal funds allocated through the Office of the Washington State Secretary of State. By implementing the Help America Vote Act as a vote-by-mail County, the allocated federal funds would cover most implementation expenses, thus significantly reducing the burden on the taxpayers.

Erika Kubischta, Elections Supervisor, stated that 66% of the registered voters in Skagit County currently vote by mail, and that percentage continues to grow. Elections conducted by mail in Skagit County have historically resulted in significantly higher voter participation.

David Cunningham, Chief Deputy Auditor, indicated that by converting Skagit County to all vote-by-mail would create a permanent, voter-verifiable paper record of each voter's ballot in every election, which paper record does not currently exist with DREs.

County Administrator Gary Rowe asked how many Precinct Committee Officers would be affected by this proposal. Ms. Kubischta indicated that it would depend on whether newly created legislation is signed by the Governor's office. If Governor Gregoire does sign the bill, then everything would remain status quo; however, if she doesn't then approximately 35-40 more districts would be added.

Commissioner Dahlstedt motioned to approve a Resolution authorizing the Skagit County Auditor's Office to conduct all Skagit County Elections vote-by-mail. Chairman Munks seconded the motion, which passed. **(Resolution No. R20050132)**

Commissioner Dahlstedt moved to approve a Resolution authorizing the execution of a Grant Agreement with the Office of the Secretary of State, which was seconded by Chairman Munks. The motion carried. **(Resolution No. R20050133)**

Commissioner Dahlstedt made a motion to approve a Help America Vote Act (HAVA) Grant Agreement between the Washington State Secretary of State's Office and the Skagit County Auditor's Office to upgrade Skagit County's ballot tabulation system to meet HAVA requirements. The grant will provide the

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

County with approximately \$313,000 in grant funds for that purpose. The motion was seconded by Chairman Munks and was carried. **(Contract No. C20050162)**

**ADJOURNMENT.**

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

**BOARD OF COMMISSIONERS**  
**SKAGIT COUNTY, WASHINGTON**

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Don Munks, Chairman

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Kenneth A. Dahlstedt, Commissioner

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Ted W. Anderson, Commissioner

ATTEST:

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