

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, MAY 9, 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 10:00 a.m. – 10:15 a.m.	Proclamation – Wildfire Awareness Week
*T 10:30 a.m. – 11:00 a.m.	Discussion – Intensive Mental Services for Jail Diversion Programs Grant
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. – 2:30 p.m.	Executive Session – Personnel, Litigation and Land Acquisition
2:30 p.m. – 3:00 p.m.	Decision - Closed Record Appeal No. PL05-0143, Submitted by Roger E. Pederson in Response to the Hearing Examiner's Decision on PL04-0176 and PL04-0787
3:00 p.m. – 3:30 p.m.	Decision - Closed Record Appeal No. PL05-0145, Submitted by Norm Wietting of Cimarron Transfer and Recycling Co. in Response to the Hearing Examiner's Decision on PL04-0176

The Skagit County Board of Commissioners met in regular session on Monday, May 9, 2005, with Commissioners Don Munks and Kenneth A. Dahlstedt present. Commissioner Ted W. Anderson's absence was excused.

PROCLAMATION – WILDFIRE AWARENESS WEEK.

Carolyn Kelly from the Skagit Conservation District was present, along with Jenny Hinderman, Firewise Coordinator. Ms. Hinderman spoke about the brochure the District has put together titled "Preparing for Wildfire in Skagit County." She indicated that the District will be hosting two Wildfire Awareness Week activities for the eastern Skagit County communities of Concrete, Rockport and Marblemount. Ms. Hinderman thanked the Board for supporting them in their firewise efforts throughout the County.

Mark Titus, Fire Prevention Coordinator for the State of Washington, emphasized and highlighted the efforts of the Skagit Conservation District. He said the overall drought that is happening across the State paints a very grim picture of what's to be expected this summer. Mr. Titus introduced a brochure regarding fire resistant traits of plants in Washington State. He said it doesn't take much effort to landscape with plants that are firewise in nature. Mr. Titus thanked Andy Perlberg and Fred Wefer for their continuing efforts as well.

Commissioner Dahlstedt read the proclamation proclaiming May 9 through May 14, 2005, as Wildfire Awareness Week in Skagit County.

DISCUSSION – INTENSIVE MENTAL SERVICES FOR JAIL DIVERSION PROGRAMS GRANT.

Maile Acoba, Director of Human Services, stated that Skagit County Human Services is seeking to submit a proposal, which provides the foundation needed for law enforcement and legal communities to handle issues of mental illness and co-occurring disorders for individuals who come into contact with the law enforcement and criminal justice systems. Ms. Acoba said the project would consist of two components, the first of which would establish the front and back ends of a comprehensive service model, and the

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second would be to divert individuals away from jail and provide them with intensive wrap around services.

The front end of the service model is outlined as follows:

- Develop and conduct 40-hour Crisis Intervention Team (CIT) trainings for law enforcement on mental illness and substance abuse issues, the local mental health system, and techniques for de-escalating crises. Officers would learn to determine the appropriate means for dealing with mentally ill/chemically dependent individuals and the resources for re-directing individuals that have not committed a crime, or minimizing, when possible, incarceration time for individuals who are arrested. A total of six cycles of training would be conducted throughout the three year grant period, in order to maximize the number of officers available to attend.

The back end of the service model is outlined as follows:

- Establish a six-member "Intensive Case Management" team to provide direct treatment service and coordinate community support. The team would consist of a Mental Health Professional, a Chemical Dependency Professional, an Employment Specialist, and two Intervention Specialists. Together they would provide treatment and resource development for mentally ill/chemically dependent individuals referred through the Behavioral Crisis Triage Facility, referred and released pre-sentenced from jail, and referred by any Mental Health Court structure within Skagit County, to include Superior Court, District Court and Tribal Courts.

Ms. Acoba said the targeted outcomes would be reduced recidivism; reduction in jail population and cost for individuals requiring mental health and substance abuse treatment; provision of much needed treatment for locally mentally ill/chemically (MI/CD) dependent offenders; and increased knowledge and awareness of intervention techniques for law enforcement with MI/CD individuals.

Ms. Acoba indicated that it is expected that up to \$2,400,000 will be available to fund six new grants in FY 2005 for up to three years. Annual awards will not exceed \$400,000 per year in total costs (direct and indirect). The actual amount available for the awards may vary, depending on unanticipated program requirements and the number and quality of funds, approval of the strategic plan during the initial phase of the grant, grantee progress in meeting project goals and objectives, and timely submission of required data and reports.

The goals for the Targeted Capacity Expansion Grants for Jail Diversion Programs are to divert persons with mental illness and/or co-occurring substance abuse disorders from jails to community based mental health; provide either directly or indirectly treatment services that are based on best known practices; and promotion and development of a comprehensive service delivery study.

Applicants are expected to develop jail diversion activities for one or more points on the criminal justice processing, including the initial point of police contact, pre-booking, post-booking, arraignment, or through mental health courts. Grantees will build service capacity by developing and implementing a strategic plan for creating a service delivery system for jail diverted persons; building the infrastructure to support the service delivery system; and providing treatment services directly or by arranging for them to be provided.

According to Ms. Acoba, treatment services must be based on the best known practices and include case management, Assertive Community Treatment (as appropriate), medication management, integrated mental health and substance abuse treatment, psychiatric rehabilitation, and gender based trauma services. Grantees will coordinate with social service agencies to ensure that life skills training, housing placement, vocational training, job placement, and health care are available to diverted persons. Grantees are expected to evaluate the process of planning and implementing the program and to participate in a cross-site evaluation of the impact of the program.

Ms. Acoba next provided an update on the continued progress of the Skagit County Behavioral Crisis Triage Program.

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CONSENT AGENDA.

Commissioner Dahlstedt motioned to approve the Consent Agenda for Monday, May 9, 2005, items 1 through 13. Chairman Munks seconded the motion, which passed unanimously.

COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Monday, May 2, 2005.
2. Record of the Proceedings for Tuesday, May 3, 2005.
3. Resolution establishing a new per diem rate for the Board of Equalization members. The rate is increased from \$125 per day to \$150 per day, effective May 1, 2005. **(Resolution No. R20050167)**

BUDGET AND FINANCE:

4. Amendment No. 4 to Agreement **No. C20030199** between Skagit County and Aero-Skagit Emergency Medical Services, Inc. authorizing supplemental funding in the amount of \$129,564 for 2005, for a new contract total of \$370,631. It also recognizes that the contractor serves a rural area where responses can't always happen in 20 minutes. **(Amendment No. A20050093)**
5. Amendment No. 1 to Interlocal Cooperative Agreement **No. C20040465** between Skagit County and the Town of Hamilton. Skagit County is acting a fiscal agent on behalf of the Town. This amendment adds fiscal agency responsibilities for an additional FCAAP grant and allows for future expansion of the County's role as new grants may be awarded. The County has the right to decline to serve as fiscal agent for any additional grants. **(Amendment No. A20050094)**

EMERGENCY MANAGEMENT:

6. Resolution authorizing a public hearing to adopt revisions to burning permit fees and infractions. The hearing will be held on Tuesday, May 31, 2005, at 11:45 a.m. **(Resolution No. R20050168)**

FACILITY MANAGEMENT:

7. Amendment No. 1 to Building Lease Agreement **No. C20030243** between Skagit County and the Upper Skagit Library District, which extends the lease agreement to April 30, 2007, at a new monthly lease payment of \$550. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20050095)**
8. Amendment No. 1 to Vendor Services **No. C20050147** with Commercial Fire Protection to remove an incorrect service address of 1111 Cleveland Avenue and add the correct service address of 1800 Continental Place. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20050096)**

YOUTH & FAMILY SERVICES:

9. Contract for Educational Services between Skagit County and Northwest Educational Service District #189 to provide educational services to juveniles detained in the Skagit County juvenile Detention Center. The agreement shall commence on September 1, 2005, and continue through August 31, 2006. Compensation is not to exceed \$10,000. **(Contract No. C20050204)**

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PUBLIC WORKS DEPARTMENT:

10. Personal Services Agreement with Brown Mapping Consultants to provide orthophotography services (digital mapping) in the Cockreham Island and Hamilton relocation areas. The agreement shall commence on April 11, 2005, and continue through June 30, 2005. Compensation is not to exceed \$11,398.54. **(Contract No. C20050205)**
11. Vendor Services Agreement with McAsphalt Industries Limited to provide maintenance materials for the period of April 1, 2005, through March 31, 2006, with purchases not to exceed \$500,000. **(Contract No. C20050206)**
12. Resolution awarding the contract for the South Fork Skagit River Bridge #40008 Deck Overlay Project ES40008-3 to Concrete Barrier, Inc. in the amount of \$385,296. **(Resolution No. R2o050169)**
13. Construction Contract with Concrete Barriers, Inc. for the South Fork Skagit River Bridge #40008 Deck Overlay Project ES40008-3 in the amount of \$385,296. The agreement shall commence upon the date of signature and continue until the project is completed. **(Contract No. C20050207)**

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, May 9, 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 \$53,522.55 (Transmittal No. C-58-05); and

Warrants numbered 196454 through 196858 from Clearing Fund 696 in the total dollar amount of \$4,032,225.37 (Transmittal No. C-60-05); and

ACH Transfer Request Form and Certification to Premera Blue Cross from Clearing Fund 696 in the total dollar amount of \$117,382.58 (Transmittal No. C-61-05); and

Warrants numbered 196859 through 196949 from Clearing Fund 696 in the total dollar amount of \$224,755.85 (Transmittal No. C-62-05); and

Payroll warrants numbered 165446 through 166261 in the total dollar amount of \$950,662.75 (Transmittal No. P-17-05); and

Payroll warrants numbered 966434 through 966585 in the total dollar amount of \$175,573.13 (Transmittal No. P-18-05).

PUBLIC COMMENT PERIOD.

No one was present for the public comment period.

DECISION – CLOSED RECORD APPEAL NO. PL05-0143, SUBMITTED BY ROGER E. PEDERSON IN RESPONSE TO THE HEARING EXAMINER’S DECISION ON PL04-0716 AND PL04-0787.

Brandon Black, Senior Planner, stated that on April 26, 2005, the Board heard closed record appeal #PL05-0143, submitted by Roger Pederson. Mr. Black stated that the Commissioners are present today to render their decision on this matter.

Commissioner Anderson was absent from the meeting as he was attending a mediation hearing in Seattle. However, he rendered his decision and made a motion by placing a conference call to the hearing room.

Commissioner Anderson motioned to uphold the Hearing Examiner’s decision. He said he reviewed the record and cannot find where the Hearing Examiner was erroneous in his decision. Commissioner Dahlstedt seconded the motion and said he had also reviewed the record. He noted that for the Board to overrule the Hearing Examiner, they would have to decide that the Examiner was clearly erroneous in his decision and he doesn’t think he was. Chairman Munks agreed and the motion passed unanimously.

A resolution outlining the decision will be provided at a later date.

DECISION – CLOSED RECORD APPEAL NO. PL05-0145, SUBMITTED BY NORM WIETTING OF CIMARRON TRANSFER AND RECYCLING CO. IN RESPONSE TO THE HEARING EXAMINER’S DECISION ON PL04-0176.

Mr. Black stated that closed record appeal hearing #PL05-0145, submitted by Norm Wietting, was held on April 26, 2005. Mr. Wietting requested the deletion or modification to Condition #8, which states “all residual waste generated at this facility shall be brought to the Skagit County Transfer Station for disposal. The tip fee charged for non-municipal waste at the time of disposal shall apply.”

Commissioner Anderson said he didn’t have a problem with Condition #8; however, Condition #3 of the Mitigation and Determination of Non-Significance (MDNS) states that Condition #8 would be subject to a contractual agreement between the County and the applicant.

Commissioner Anderson motioned to find the Hearing Examiner erroneous in his decision because Condition #3 of the MDNS says this will be subject to a contractual agreement. He prefers changing the language in Condition #8 to state “all residual waste generated at this proposed site will be delivered to the Skagit County Transfer Station.” Commissioner Anderson said contractual procedures should be followed from there.

Chairman Munks reviewed Commissioner Anderson’s motion for clarification purposes. He said he understood the motion to find the Hearing Examiner clearly erroneous in his decision as it relates to Condition #8, which states that the tipping fee charged for non-municipal waste at the time of disposal shall apply. This conflicts with Condition #3 because it specifies that the applicant shall comply with conditions set forth in the MDNS that was issued September 30, 2004.

Commissioner Anderson said he wants the residual waste delivered to the Transfer Station, but he also wants consistency throughout the agreement. Commissioner Dahlstedt seconded the motion, which passed unanimously.

A resolution outlining the decision will be provided at a later date.

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ADJOURNMENT.

Commissioner Dahlstedt made a motion to adjourn the proceedings. Chairman Munks 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