

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, DECEMBER 5, 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. Work Session – Operations Division Manager/Road District
Maintenance Supervisors
- *T 10:00 a.m. – 11:00 a.m. Public Works Department – Chal Martin, Director
1. Discussion – Cockreham Training Levee Repairs/Improvements
 2. Signature – Resolution Rescinding Resolution No. 17295 and No.
17872, Establishing Policy and Procedures in Accordance with
State and Federal Regulations For Engineering and Land
Surveying Consultant Services Roster
 3. Signature – Resolution Rescinding Resolution No. 17295 and
17872, Establishing Policy and Procedures in Accordance with
State and Federal Regulations For a Personal Services
Consultant Roster
 4. 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. Bid Opening – Skagit County Coroner’s Office/Sheriff’s Office Remodel
- 2:30 p.m. – 4:30 p.m. Executive Session – Personnel, Litigation and Land Acquisition

The Skagit County Board of Commissioners met in regular session on Monday, December 5, 2005, with Commissioners Kenneth A. Dahlstedt and Ted W. Anderson present. Commissioner Don Munks’ absence was excused.

WORK SESSION – OPERATIONS DIVISION MANAGER/ROAD DISTRICT MAINTENANCE SUPERVISORS.

The Commissioners received an update from employees of the Skagit County Road Shop regarding ongoing projects.

PUBLIC WORKS DEPARTMENT – CHAL MARTIN, DIRECTOR

1. Discussion – Cockreham Training Levee Repairs/Improvements.

Surface Water Manager Ric Boge discussed repairs and improvements needed for the Cockreham Training Levee. Mr. Boge indicated that assessments collected from the Drainage Utility Fund are the current money source for repairs at this time.

Commissioner Anderson said the new “Area of Concern” needs to be taken care of before it breaks during another flood, regardless of what happens with the buyout program. He also noted that the Commissioners are responsible for the health, safety and welfare of the citizens of Skagit County, including employees. It would be unfair to ask contractors and/or employees to make repairs to the levee when the river is at flood stage. Commissioner Anderson said that although the traditional permit process can take forever, the County doesn’t want to act irresponsibly.

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Mr. Boge said it seems prudent to initiate the project, assess the damage and obtain an engineer's report. That information would enable the Commissioners to decide whether enough damage has already been done so that repairs can be made now, prior to a real emergency.

Commissioner Dahlstedt concurred and added that the County needs to do what it takes to protect the people.

The requested information should be forthcoming within the next 2 to 3 weeks. The Commissioners said the US Army Corps of Engineers have offered their expertise and technical assistance once a decision has been made.

2. Signature – Resolution Rescinding Resolution No. 17295 and No. 17872, Establishing Policy and Procedures in Accordance with State and Federal Regulations For Engineering and Land Surveying Consultant Services Roster.

Public Works Director Chal Martin brought forth two resolutions, which would establish new policies and procedures for an Engineering and Land Surveying Consultant Roster and a Personal Services Consultant Roster. Upon approval by the Board, the resolutions would allow the alignment of departmental actions with State and Federal statutory provisions. It would also allow the removal of the internal requirement to formally request proposals for consultant work expected to cost more than \$100,000. The Request for Qualifications (RFQ)/Request for Proposal (RFP) process would then be at the request of the County Commissioners or at the discretion of the Public Works Director.

Commissioner Anderson motioned to approve a resolution rescinding Resolution Nos. 17295 and 17872 and establishing Policy and Procedures in accordance with State and Federal regulations for a new Engineering and Land Surveying Consultant Roster. Commissioner Dahlstedt seconded the motion, which carried. **(Resolution No. R20050430)**

3. Signature – Resolution Rescinding Resolution No. 17295 and 17872, Establish Policy and Procedures in Accordance with State and Federal Regulations For a Personal Services Consultant Roster.

Commissioner Anderson made a motion to rescind Resolution Nos. 17295 and 17872 and establish Policy and Procedures in accordance with State and Federal regulations for a new Personal Services Consultant Roster. The motion was seconded by Commissioner Dahlstedt and carried. **(Resolution No. R20050431)**

4. Miscellaneous.

There were no miscellaneous Public Works items brought forward for discussion.

CONSENT AGENDA.

Commissioner Anderson motioned to approve the Consent Agenda for Monday, December 5, 2005, items 1 through 22. Commissioner Dahlstedt seconded the motion, which passed.

COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Monday, November 28, 2005.

ADMINISTRATIVE SERVICES:

2. Amendment No. 1 to Personal Services Agreement No. **C20050222** between Skagit County and Kelly Services, Inc., to provide front desk receptionist coverage and other duties as assigned. The amendment adds \$5,000 to the agreement for a new contract total of \$9,500. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20050193)**

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3. Resolution calling for a Public Hearing to consider an Ordinance imposing one-tenth of one percent Sales and Use tax in Skagit County for the purpose of providing funds for new and expanded chemical dependency or mental health treatment services, including the operation of new or expanded therapeutic court programs. The hearing will be held on Monday, December 19, 2005, at 1:30 p.m. (**Resolution No. R20050432**)

BUDGET/FINANCE:

4. Amendment No. 2 to Personal Services Agreement No. **C20050223** between Skagit County and Skagit County Community Action Agency for work on the food bank modulars in Hamilton and Alger. The amendment will increase funding by \$58,000 for a new contract total of \$223,959. All other terms and conditions of the original contract shall remain in effect. (**Amendment No. A20050194**)
5. Resolution authorizing the execution of an Interlocal Cooperative Agreement between Skagit County and Public Utility District No. 1. Economic Development Grant Funds in the amount of \$190,000 have been warded to PUD #1 for the Telecommunications Infrastructure Project. (**Resolution No. R20050433**)
6. Resolution calling for a Public Hearing to consider the 2006 levy amounts for Skagit County Emergency Medical Services. The hearing will be held on December 20, 2005, at 10:30 a.m. (**Resolution No. R20050434**)
7. Resolution calling for a Public Hearing to consider the 2006 levy amounts for the General, County Road and Conservation Futures Funds. The hearing will be held on December 19, 2005, at 9:30 a.m. (**Resolution No. R20050435**)

HUMAN RESOURCES:

8. Resolution approving the transfer of sick leave for an employee in the Skagit County Assessor's Office. (**Resolution No. R20050436**)

INFORMATION SERVICES:

9. Resolution authorizing the transfer of surplus computer equipment to the Mount Vernon School District. (**Resolution No. R20050437**)
10. Resolution authorizing the transfer of surplus computer equipment to the Burlington-Edison School District. (**Resolution No. R20050438**)

RECORDS MANAGEMENT:

11. Single Sided Lease Agreement with Greater Bay Capital for the replacement of the lease for a Hasler WJ150 Autofeed Mail Machine for the use in District Court. Total compensation is not to exceed \$8,496. The agreement shall commence on December 1, 2005, and continue through December 1, 2010. (**Contract No. C20050505**)

YOUTH & FAMILY SERVICES:

12. Interlocal Cooperative Agreement, per Resolution No. R20020039, between Skagit County and Sedro Woolley School District #101, which provides funding for a Truancy Intervention Specialist. This agreement shall commence on November 1, 2005, and continue through August 31, 2006. Total compensation is not to exceed \$5,264.09. (**Contract No. C20050506**)

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PUBLIC WORKS DEPARTMENT:

13. Amendment No. 1 to Interagency Agreement **No. C20050290** between Skagit County and State of Washington Department of Ecology. This agreement provides funding for the Community Litter Cleanup Program. With this amendment, Skagit County will benefit by receiving an additional \$4,800, to the previously awarded \$111,000 bringing the total awarded to \$115,800, allowing for one additional person, appointed by Department of Ecology, to assist the Litter Crew Supervisor. This amendment shall commence on January 1, 2006, and continue through June 30, 2007. All other terms and condition of the original agreement shall remain in effect. **(Amendment No. A20050195)**
14. Resolution authorizing the Declaration of Sole Source for Services, which were provided by Down Under Guemes to the Guemes Island Ferry Terminal and Beach Landing Area on Guemes Island. **(Resolution No. R20050439)**
15. Resolution ratifying a contract for services needed during the 2005 MV Guemes Haul Out by Down Under Guemes. **(Resolution No. R20050440)**
16. Vender Services Agreement with Down under Guemes to provide services needed on the Guemes Island Ferry during the 2005 Ferry Haul Out. This agreement shall commence on September 20, 2005, and continue until September 20, 2006. Total compensation is not to exceed \$2,600.39. **(Contract No. C20050507)**
17. Resolution authorizing the ratification of a Flood Control Assistance Account Program Grant Agreement between Skagit County and the State of Washington Department of Ecology for the Skagit River Comprehensive Floodplain Hazard Management Plan Project – Phase 5. **(Resolution No. R20050441)**
18. Flood Control Assistance Account Program Grant Agreement between Skagit County and the State of Washington Department of Ecology for the Flood River Comprehensive Floodplain Hazard Management Plan Project – Phase 5. The maximum state grant share is \$170,000. The grant will help offset the 50% match requirement of the Skagit River Feasibility Study, estimated at \$680,000 for this phase of the study. This agreement shall commence on July 1, 2005, and continue through June 30, 2007. **(Contract No. C20050508)**
19. Vendor Services Agreement with Industrial Mowing and Spraying to provide mowing services along various County roads. The agreement shall commence upon the date of execution and continue for 1 year. Compensation shall not exceed a maximum total of \$9,960. **(Contract No. C20050509)**
20. Amendment No. 3 to Vendor Services Agreement **No. 20050178** between Skagit County and Arrow Launch Service, Inc., for temporary ferry passenger vessel services on an as-needed basis. This amendment adds \$49,100 to the compensation amount resulting in a new contract total of \$279,100. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20050196)**
21. Resolution authorizing the execution of Interlocal Cooperative Agreement between Skagit County and Western Washington University to perform work on Marine Resource Committee projects. **(Resolution No. R20050442)**
22. Interlocal Cooperative Agreement between Skagit County and Western Washington University to support marine education, research and restoration projects in Skagit County marine areas, which is fully funded by the Northwest Straits Commission Marine Resources Committee grant. The agreement shall commence on November 1, 2005, and continue through June 30, 2007. Total compensation is not to exceed \$18,500. **(Contract No. C20050510)**

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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, December 5, 2005, the Board by majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

Purchase Card Electronic Payment to JP MORGAN CHASE from Clearing Fund 696 in the total dollar amount of \$39,703.79 (Transmittal No. C-155-05); and

ACH Transfer Request Form and Certification to Premera Blue Cross from Clearing Fund 696 in the total dollar amount of \$6,720.06 (Transmittal No. C-156-05); and

Warrants numbered 210868 through 211484 from Clearing Fund 696 in the total dollar amount of \$1,677,535.86 (Transmittal No. C-157-05); and

ACH Transfer Request Form and Certification to Premera Blue Cross from Clearing Fund 696 in the total dollar amount of \$34,641.29 (Transmittal No. C-158-05).

2. Chief Civil Prosecutor Don Anderson and Deputy Prosecutor Melinda Miller spoke to the Board about problematic issues with regards to a Standard Engagement Letter and a Personal Services Agreement (PSA) with Perkins Coie LLP as it relates to Lake Whatcom litigation.

After a lengthy discussion, Commissioner Anderson suggested that the Washington State Auditor's Office be consulted on whether or not a PSA is needed. If it is not only a requirement of the Skagit County Auditor's Office, but a state requirement as well, a letter would need to be sent to Perkins Coie informing them of the fact that Skagit County would no longer be able to do business with them if they are unwilling to sign the PSA. Should they decline, it would make sense to then to engage another firm to handle further services.

With that being said, Commissioner Anderson motioned to approve a Joint Representation Agreement with American Forest Resource Council and Graham & Dunn PC. Commissioner Dahlstedt seconded the motion, which passed. **(Contract No. C20050511)**

PUBLIC COMMENT PERIOD.

Jamie Lanning, 1312 Highway 9, Mount Vernon, presented letters to the Commissioners regarding concerns he has with abandoned/junk cars and future public walkways in Clear Lake.

BID OPENING – SKAGIT COUNTY CORONER'S OFFICE/SHERIFF'S OFFICE REMODEL.

Facility Management Director Roger Howard opened the following bids for remodeling the Skagit County Coroner and Sheriff's offices:

Ebenal Construction
P. O. Box 3158
Bellingham, WA 98228
Bid Bond Enclosed
Total Base Amount: \$183,700

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Roosendahl-Honcoop Construction, Inc.
5977 Guide Meridian
Bellingham, WA 98226
Bid Bond Enclosed
Total Base Bid Amount: \$157,000

Mr. Howard indicated that a recommendation would be brought forth after the bids are reviewed.

ADJOURNMENT.

Commissioner Anderson made a motion to adjourn the proceedings. Commissioner Dahlstedt 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