

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, FEBRUARY 27, 2006**

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 9:45 a.m. – 10:00 a.m.	Discussion – Baker Dam Agreement
10:30 a.m. – 11:00 a.m.	Bid Opening – Skagit County Court Commissioner Hearing Room Remodel/Courthouse Door Replacement
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. – 3:00 p.m.	Executive Session – Personnel, Litigation and Land Acquisition

The Skagit County Board of Commissioners met in regular session on Monday, February 27, 2006, with Commissioners Kenneth A. Dahlstedt, Ted W. Anderson and Don Munks present.

DISCUSSION – BAKER DAM AGREEMENT.

County Administrator Gary Rowe stated that he recently put together a meeting with Puget Sound Energy (PSE) for the purpose of developing an agreement to implement the Settlement Agreement, which Skagit County and PSE reached over relicensing of the Baker Hydroelectric Project.

PSE expressed its willingness to continue to work with the County to find a workable arrangement, wherein the Baker Hydro Project could be managed to provide flood control benefits. At the present, PSE is operating the dams to provide flood protection and will continue to operate them while the County works to develop a long term solution.

Mr. Rowe indicated that the next steps will be as follows:

- PSE and the County will work together to develop the technical protocol for operation of the Baker Project until a permanent management arrangement can be established.
- PSE and the County will collaboratively study the benefits of providing additional spillway capacity and other potential flood protection benefits provided by the Baker Project. The County and PSE will work together to seek funding and authorization from the U.S. Army Corps of Engineers (COE) in developing additional flood protection benefits provided by the Baker Project.
- PSE and the County will jointly pursue COE management of the Baker Project during flood events, including options that may require modification of COE policies and/or Congressional authority.
- PSE will support the County in identifying and pursuing funding for flood protection provided by the Baker Project, including extension of the current General Investigation Study or alternative processes that will achieve the flood storage outcomes of the Settlement Agreement.
- Skagit County will support PSE in addressing liability concerns and compensation for lost power generation as a result of additional Baker Project flood storage.

Ray Trzynka of Puget Sound Energy was present and told the Commissioners that he is optimistic that a resolution can be reached.

Mr. Rowe said a joint letter from PSE and the Skagit County Commissioners will be sent to the Washington State Congressional Representatives.

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**BID OPENING – SKAGIT COUNTY COURT COMMISSIONER HEARING ROOM
REMODEL/COURTHOUSE DOOR REPLACEMENT.**

Facility Management Director Roger Howard opened the following bids for the replacement of a door at the Courthouse and the remodel of the Skagit County Court Commissioner's Hearing Room, located on the second floor of the Courthouse building:

Ebenal General, Inc.
P. O. Box 31548
Bellingham, WA 98228
Bid Bond Enclosed
Addenda Acknowledged
Total Bid Amount: \$166,000

Roosendaal-Honcoop Construction, Inc.
5977 Guide Meridian
Bellingham, WA 98226
Bid Bond Enclosed
Addenda Acknowledged
Total Bid Amount: \$164,660

Progressive Builders
17330 31st Drive Northwest
Arlington, WA 98223
Bid Bond Enclosed
Addenda Acknowledged
Total Bid Amount: \$156,000

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

CONSENT AGENDA.

Commissioner Anderson motioned to approve the Consent Agenda for Monday, February 27, 2006, items 1 through 26. The motion was seconded by Commissioner Munks and passed unanimously.

COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Tuesday, February 21, 2006.

ADMINISTRATIVE SERVICES:

2. Amendment No. 5 to Aero Skagit Emergency Medical Services Agreement **No. C20030199**, which allows Skagit County to pay Aero-Skagit a total of \$250,709.68 plus \$134,746.56 of additional funding as recommended by the Skagit EMS Commissioner for a new total of \$385,456.24 for 2006. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20060014)**
3. Amendment No. 4 to Interlocal Cooperative Agreement **No. C20030483** between Skagit County and the City of Anacortes, which provides funding with EMS levy funds and no other County funds in the amount of \$501,419.36 for 2006. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20060015)**
4. Personal Services Agreement with Kelly Services, Inc. to provide front desk reception duties and other tasks as assigned. The contract shall commence on January 1, 2006, and continue through December 31, 2006. Compensation is not to exceed a total of \$10,000. **(Contract No. C20060098)**

ASSIGNED COUNSEL:

5. Personal Services Agreement with Colleen Kenimond, Attorney at Law, to provide defense/legal services to clients for cases considered to be a conflict of interest for the Skagit County Public Defenders Office and cases that have been determined to be within the scope of indigent defense. The agreement shall commence on January 1, 2006, and continue until January 31, 2007. Compensation shall vary depending on the services being rendered. **(Contract No. C20060099)**

FACILITY MANAGEMENT:

6. Personal Services Agreement with Voorhis Associates, Inc., to assist the County on the continuation of the Skagit County Jail Needs Assessment and Planning Study through site selection, the architect selection process and translating the needs assessment study to architect for project design. The contractor shall also review the schematic design to confirm design to confirm that the design meets operational and cost-efficiency criteria and program needs. The agreement shall commence upon the date of execution and continue until December 31, 2007. Compensation is not to exceed \$68,000. **(Contract No. C20060100)**

HUMAN RESOURCES:

7. Collective Bargaining Agreements between Skagit County and the Patrol Guild & Corrections. The agreement spans the time period of January 1, 2005, through February 31, 2006. **(Contract No. C20060101 AND C20060102)**

HUMAN SERVICES:

8. Resolution appointing Billie Risa-Draves as a County Designated Mental Health Professional (CDMHP) effective February 28, 2006, and that such appointment is at will and subject to review, or exists unless and until decertified or terminated from employment with Compass Health. **(Resolution No. R20060070)**

PLANNING & DEVELOPMENT SERVICES:

9. Resolution establishing a 2006 Critical Areas Ordinance Update and Public Outreach Citizens Advisory Committee. **(Resolution No. R20060071)**
10. Resolution amending Resolution No. **R20060048**, which erroneously identifies the appeal related to a shoreline exemption for Puget Sound Energy as No. PL05-0294 and should be amended to identify the correct appeal number, PL05-0722. **(Resolution No. R20060072)**

PROSECUTING ATTORNEY:

11. Personal Services Agreement with Candace Ashbrook to provide interview services as requested by the County through Skagit County law enforcement agencies. The agreement shall commence on January 1, 2006, and continue until December 31, 2006. Compensation is not to exceed \$16,230. **(Contract No. C20060103)**

RISK MANAGEMENT:

12. Personal Services Agreement with Allied Pacific Adjusting Group to provide professional adjustment services for property and casualty claims against Skagit County. The agreement shall commence on December 31, 2005, and continue until December 31, 2006. Compensation is not to exceed \$20,000. **(Contract No. C20060104)**

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TREASURER:

13. Resolution renaming Fund Number 638 (Deferred Compensation) to the Skagit County Tax Refund Fund. **(Resolution No. R20060073)**

YOUTH & FAMILY SERVICES:

14. Amendment No. 1 to Personal Services Agreement **No. C20050036** with Diane J. Lowry, which increases compensation amount to \$15,000 to cover current and anticipated annual expenses during the contract period, for a new contract total of \$25,000. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20060016)**
15. Resolution AND Interlocal Subcontract Agreement between Skagit County and Northrop Grumman Information Technology, Inc., to implement a national demonstration project titled "Juvenile Courts and Fetal Alcohol Spectrum Disorders Services." The agreement shall commence on September 1, 2005, and continue until August 31, 2006. Compensation is not to exceed \$324,972. **(Resolution No. R20060074 AND Contract No. C20060105)**

PUBLIC WORKS DEPARTMENT:

16. Resolution calling for a Public Hearing to consider a speed limit revision on a portion of March's Point Road, No. 16610, from MP 0.983 (Anacortes city limits) to MP 5.760 (end of road). The hearing will be held on March 14, 2006, at 9:00 a.m. **(Resolution No. R20060075)**
17. Resolution calling for a Public Hearing to consider a speed limit revision on F & S Grade Road, No. 62500, from MP 0.00 (Prairie Road) to MP 3.45 (Kelleher Road). The hearing will be held on March 14, 2006, at 9:00 a.m. **(Resolution No. R20060076)**
18. Resolution calling for bids for asphalt overlays of Pioneer Highway, No. 80090, and East Hickox Road, No. 7000. The bid opening will be held on Monday, March 13, 2006, at 10:15 a.m. **(Resolution No. R20060077)**
19. Resolution calling for an update of vendor lists for maintenance material and rental equipment. **(Resolution No. R20060078)**
20. Resolution amending Resolution **No. R20050349**, appointing two new members, Tom Kearns and Patti Sleasman, to the Bryson Sub-Flood Control Zone Advisory Committee. **(Resolution No. R20060079)**
21. Resolution authorizing funding for the South Skagit Highway Milepost 17.8 2006 Fish Passage Project ES 07000-7. This project is included in the 2006-2011 Transportation Improvement Program, Revision #1 and the 2006 Annual Construction Program, Revision #1. **(Resolution No. R20060080)**
22. Resolution calling for bids for the Burlington Alger Bridge No. 40112 Replacement Project. The bid opening will be held on Monday, March 20, 2006, at 11:45 a.m. **(Resolution No. R20060081)**
23. Amendment No. 1 to Personal Services Agreement **No. C20040171** between Skagit County and Leonard, Boudinot & Skodje Inc., which extends the original agreement to February 28, 2008. There will be no increase in the amount of money mentioned in the original contract. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20060017)**

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24. Local Agency Standard Consultant Agreement between Skagit County and Cascade Project Management, PLLC, to provide project management services on an as-needed basis, including preparation of grant applications on various County road projects. The agreement shall commence on February 2, 2006, and continue until December 31, 2008. All work will be charged according to time and materials with a contract value not to exceed \$75,000. **(Contract No. C20060106)**
25. Resolution regarding implementation by Skagit County of WAC Chapter 173-505, adopted by the Washington Department of Ecology. This is a regulation establishing minimum instream flows for the Stillaguamish River. **(Resolution No. R20060082)**
26. Application with the Bureau of Indian Affairs for a Right-of-Way for road widening along the Upper Skagit Indian Tribe property on Helmick Road in conjunction with the Helmick Road Safety Improvement and Environmental Enhancement Project, ES95510-2. **(Resolution No. R20060083)**

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, February 27, 2006, 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 \$39,212.96 (Transmittal No. C-21-06); and

Warrants numbered 216853 through 217575 from Clearing Fund 696 in the total dollar amount of \$511,293.35 (Transmittal No. C-22-06); and

Warrants numbered 217575 through 217828 from Clearing Fund 696 in the total dollar amount of \$599,325.70 (Transmittal No. C-25-06); and

Payroll warrants numbered 181398 through 182212 in the total dollar amount of \$1,080,578.08 (Transmittal No. P-07-06); and

Payroll warrants numbered 969460 through 969623 in the total dollar amount of \$193,569.73 (Transmittal No. P-08-06).

2. Jean Alden, Public Works, brought forth a resolution authorizing an Interlocal Cooperative Agreement between Skagit County Public Works and Skagit Valley College. The Interlocal Agreement would provide computer and foreign language classes to employees of the Public Works Department for the period March 1, 2006, through February 28, 2007, at a cost not to exceed \$4,999.

Commissioner Anderson motioned to approve the resolution and Interlocal Agreement, as outlined by Ms. Alden. Commissioner Munks seconded the motion, which passed with a unanimous vote. **(Resolution No. R20060084 AND Contract No. C20060107)**

3. A motion was made by Commissioner Anderson to approve a resolution appointing a Citizen Advisory Committee for review and recommendations on the Skagit County budget. Commissioner Munks seconded the motion, which passed unanimously. **(Resolution No. R20060085)**

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4. Staff brought forth a resolution upholding the Hearing Examiner's Findings of Fact, Conclusions of Law and Decision regarding Appeal No. PL05-0566, filed by Karen Blanton of Administrative Decision No. PL05-0332, filed by Willard Hendrickson.

Commissioner Munks motioned to approve the resolution as presented. Commissioner Munks seconded the motion, which passed unanimously. **(Resolution No. R20060086)**

PUBLIC COMMENT PERIOD.

Carol Ehlers, West Fidalgo Island, spoke about the transportation unit and the rural element of the County's Comprehensive Plan. She said the previous Comp Plan had a number of policies that protected residents, which the new Comp Plan doesn't have. Ms. Ehlers said the idea of protecting historic heritage and protecting rural roads is gone.

Ms. Ehlers said the transportation plan only contains goal A, but not goals B or C. She feels if there are no policies protecting the rural area, then there really are no rules. Ms. Ehlers said she couldn't believe what wasn't in the transportation portion of the Plan, such as fire protection or ambulance access. She urged the Commissioners to take a hard look at the Plan.

ADJOURNMENT.

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

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Kenneth A. Dahlstedt, Chairman

Ted W. Anderson, Commissioner

Don Munks, Commissioner

ATTEST:

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