

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
MONDAY, MARCH 13, 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 10:00 a.m. – 10:15 a.m.                Certification of the 2005 Fixed Asset Inventory
- \*T 10:15 a.m. – 10:30 a.m.                Bid Opening – 2006 Asphalt Overlay Project
- \*T 10:30 a.m. – 11:00 a.m.                Work Session – Wild and Scenic River Designation For the Sauk and  
Upper Skagit Rivers (United States Forest Service)
- \*T 11:00 a.m. – 11:30 a.m.                Consent Agenda and Miscellaneous Items
- \*T 11:30 a.m. – 11:45 a.m.                Public Comment Period
- \*T 11:45 a.m. – 12:00 p.m.                Bid Opening – Equipment Rental With Expected Annual Expenditures to  
Exceed \$25,000
- 1:30 p.m. – 3:30 p.m.                      Executive Session – Personnel, Litigation and Land Acquisition

The Skagit County Board of Commissioners met in regular session with Commissioners Kenneth A. Dahlstedt and Ted W. Anderson were present. Commissioner Don Munks absence was excused.

**CERTIFICATION OF THE 2005 FIXED ASSET INVENTORY**

Chris Stamey, Information Services, presented the Board with the 2005 Fixed Asset Inventory explaining the listings of equipment and the process of obtaining the inventory data.

Commissioner Anderson and Chairman Dahlstedt commended Mr. Stamey for a job well done.

Commissioner Anderson moved to certify the 2005 Fixed Asset Inventory as presented by Mr. Stamey. Chairman Dahlstedt seconded the motion, which passed unanimously. The Board signed the Certification Form.

**BID OPENING – 2006 ASPHALT OVERLAY PROJECT**

Kelley Kendrick and Barb Hathaway of the Public Works Department opened the following bids for the 2006 Asphalt Overlay Project:

Lakeside Industries  
P.O. Box 729  
Anacortes, WA 98221  
Bid Bond Acknowledged  
Addendum 1 & 2 Acknowledged  
Total Bid: \$555,676.50

Rinker Materials West LLC  
Dba Rinker Materials  
P.O. Box 2037  
Everett, WA 98213  
Bid Bond Acknowledged  
Addendum 1 & 2 Acknowledged  
Total bid: \$619,330.00

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Wilder Construction Company  
3876 Hannegan Road  
Bellingham, WA 98226-9103  
Bid Bond Acknowledged  
Addendum 1 & 2 Acknowledged  
Total Bid: \$691,985.00

Ms. Kendrick indicated the bids would be reviewed and a recommendation would be forthcoming.

**WORK SESSION – WILD AND SCENIC RIVER DESIGNATION FOR THE SAUK AND UPPER SKAGIT RIVERS (UNITED STATES FOREST SERVICE)**

Jon Vanderheyden, District Ranger, and Greta Movassaghi of Wild & Scenic Rivers (W&SR) gave a PowerPoint presentation. Ms. Movassaghi explained that the Skagit and its Cascade, Sauk, and Suiattle tributaries which were designated by Congress on November 10, 1978 are a part of the National Wild and Scenic Rivers System. The designation protects a river system with values unique in the lower 48 states, including waters home to rare wild salmon and one of the largest bald eagle concentrations outside Alaska.

Ms. Movassaghi said that the Skagit W& SR system is 158 miles long and includes a mix of ownerships: 44% federal land, 6% state or other and 50% in private ownership. The Forest Service has no regulatory authority on private land and the river's bed and bank is considered "Waters of the US".

Ms. Movassaghi explained that local USDA-Forest Service staff has been actively involved with landowners attempting to mitigate flood related impacts since the flood of 1990. Despite this, there is still public misperception with regard to the meaning and power of the Wild & Scenic River designation.

Per Ms. Movassaghi, the Mt. Baker-Snoqualmie National Forest has long supported a multi faceted approach to the concerns raised by flooding and flood damage to both public infrastructure and private property, which has occurred regularly in northwest Washington. She said there is a need to clarify regulatory jurisdictions, authorities and information flow among all parties throughout the river system.

Concern that what may appear to landowners to be bureaucracy and intransigence on the part of agencies maybe due to recognition of the highly dynamic nature of rivers, lack of a technological or cost-effective solution and no administrative mechanism or funding sources to protect private property with out a legal entity like a flood control district. Government can easily protect infrastructure that is for the common good, used and paid for by taxpayers.

The October 2003 event was a record breaking flood for the Skagit system. She said that now, relatively small storm events like the flood of January 19, 2005 are moving that deposited wood and sediment through the river system, which is likely to continue for years.

There are situations where there is no cost effective bank protection that will provide a reasonable assurance of success.

In closing, Ms. Movassaghi stated that the Skagit River system is naturally dynamic, affected by previous glaciation and volcanic activity and periodic heavy flooding. She also said that local Forest Service staff is coordinating with local, state and federal agencies on numerous river management concerns.

Mr. Vanderheyden shared a web-site with the Board that has been put together to answer questions that property owners may have.

**CONSENT AGENDA.**

Commissioner Anderson motioned to approve the Consent Agenda for Monday, March 13, 2006, items 1 through 26. The motion was seconded by Chairman Dahlstedt and passed unanimously.

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**COMMISSIONERS' OFFICE:**

1. Record of the Proceedings for Monday, February 27, 2006.
2. Resolution calling for bids for County legal printing for 2006-2007. The bid opening will be held on April 24, 2006, at 10:45 a.m. **(Resolution No. R20060087)**

**ADMINISTRATIVE SERVICES:**

3. Resolution releasing Eileen Anderson from her term of office on the La Conner Regional Library Board of Trustees, effective April 1, 2006. **(Resolution No. R20060088)**
4. Resolution appointing Beth Clothier to the La Conner Regional Library Board of Trustees, effective April 1, 2006 and ending September 22, 2007. **(Resolution No. R20060089)**

**ASSIGNED COUNSEL:**

5. Personal Services Agreement with Wendy Wall, Attorney at Law, to provide defense/legal services to clients for cases considered to be a conflict of interest for the Skagit County Public Defender's Office and cases that have been determined to be within the scope of indigent defense. The agreement shall commence on March 1, 2006, and continue until December 31, 2008. Compensation shall vary depending on the services being rendered. **(Contract No. C20060109)**
6. Personal Services Agreement with Joseph Reyes, Attorney at Law, to provide defense/legal services to clients for cases considered to be a conflict of interest for the Skagit County Public Defender's Office and have been determined to be within the scope of indigent defense. The agreement shall commence on January 1, 2006, and continue until December 31, 2008. Compensation shall vary depending on the services being rendered. **(Contract No. C20060110)**
7. Personal Services Agreement with Jim Nelson, Attorney at Law, to provide defense/legal services to clients for cases considered to be a conflict of interest for the Skagit County Public Defender's Office and 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. C20060111)**
8. Personal Services Agreement with Darren Acoba, Attorney at Law, to provide defense/legal services to clients for cases considered to be a conflict of interest for the Skagit County Public Defender's Office and have been determined to be within the scope of indigent defense. The agreement shall commence January 1, 2006, and continue until January 31, 2007. Compensation shall vary depending on the services being rendered. **(Contract No. C20060112)**

**EMERGENCY MANAGEMENT:**

9. Resolution calling for bids to add security fencing around the north portion of the Skagit county Consolidated Communications Center (911 Bldg.), located at 2911 E. College Way, Mount Vernon. The bid opening will be held on Monday, March 27, 2006, at 11:45 a.m. **(Resolution No. R20060090)**
10. Resolution calling for bids for audio/visual upgrade to enable the capture and sharing of information during emergencies in the Skagit County Emergency Operations Center (911 Bldg.), located at 2911 E. College Way, Mount Vernon. The bid opening will be held on Monday, March 27, 2006, at 11:45 a.m. **(Resolution No. R20060091)**

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**FACILITY MANAGEMENT:**

11. Vendor Services Agreement with Kone Inc. to perform quarterly exams, lubrication, and quarterly tests and repair work if required at various County locations. The agreement shall commence on January 1, 2006, and continue until December 31, 2007. Compensation will be at \$850 per quarter (not including sales tax) and repair work will be billed per occurrence (not to exceed \$13,200 during the term of contract). Compensation is not to exceed \$20,000. **(Contract No. C20060113)**
12. Resolution awarding the bid for the Skagit County Court Commissioner's Hearing Room remodel/door replacement to Progressive Builders, Inc. for the low bid of \$156,000. **(Resolution No. R20060092)**

**HEALTH DEPARTMENT:**

13. Resolution AND Interlocal Cooperative Agreement between Skagit County and Northwest Educational Service District 189 to establish a Nurse-Family Partnership program within Skagit County. With this agreement Public Health Nurses will provide enhanced services to high-risk mothers with new babies to reduce rates of child maltreatment and to reduce rates of mother's behavioral problems due to alcohol or drug abuse. This agreement also establishes a cooperative relationship with the County's Welcome Baby! Program. The agreement shall commence on February 15, 2006, and continue through September 30, 2006. Compensation is not to exceed \$150,000. **(Resolution No. R20060093 AND Contract No. C 20060114)**

**HUMAN RESOURCES:**

14. Collective Bargaining Agreement between Skagit County and Teamsters Local #231 Juvenile Correction Employees. The agreement spans the time period of January 1, 2005, through December 31, 2007. This is the second signing of this document, as this one excludes page 33 of the previous contract that was signed on February 6, 2006. **(Contract No. C20060115)**

**PROSECUTING ATTORNEY:**

15. Personal Services Agreement with Elaine L. Spencer, and Graham & Dunn PC to provide consultation, representation and legal services for the Lake Whatcom Litigation aka Skagit County Cause #05-2-00246-1. The agreement shall commence on January 1, 2006, and continue until December 31, 2006. Compensation shall not exceed a total of \$100,000. **(Contract No. C20060116)**

**SENIOR SERVICES:**

16. Personal Services Agreement with Visiting Nurse Personal Services to provide hand and foot care clinics to clients at the Skagit County Senior Services Centers. The agreement shall commence on January 1, 2006, and continue until December 31, 2006. Clients will compensate Contractor at the rate of \$5.00 for hands, and \$17.00 for feet per appointment, paid by participator to Visiting Nurse Personal Services. **(Contract No. C20060117)**
17. Resolution calling for a public hearing to lease County owned property at the Concrete Senior Center by the Saturday Community Market Association. The public hearing will be held on Monday, March 27, 2006, at 10:30 a.m. **(Resolution No. R20060094)**

**TREASURER:**

18. Resolution AND Interlocal Agreement between Skagit County and Skagit Transit System (SKAT), which allows the Skagit County Treasurer to be custodian of SKAT moneys. The agreement shall be for a period of three years from March 1, 2006, through February 28, 2009. SKAT agrees to

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reimburse the Skagit County Treasurer for the costs of safekeeping fees and wire transfer fees, which will be billed on a quarterly basis. **(Resolution No. R20060095 AND Contract No. C20060118)**

**YOUTH & FAMILY SERVICES:**

19. Resolution AND Interlocal Cooperative Agreement between Skagit County and Northwest Educational Service District 189 directed toward the implementation of the Safe Schools/Healthy Students Initiative in Skagit County. The overall goal of this initiative is to promote violence-free schools and communities across seven Skagit County School Districts by significantly decreasing risk factors and increasing protective factors that impact the safety, education achievement and health of Skagit County's children. The agreement shall commence on February 15, 2006, and continue through September 30, 2006. Skagit County shall be reimbursed a maximum of \$420,058. for services provided in conjunction with this agreement. **(Resolution No. R20060096 AND Contract No. C20060119)**

**PUBLIC WORKS DEPARTMENT:**

20. Final Order to Vacate unopened County right-of-way known as Pacific Street near the Town of Concrete. **(Contract No. C20060120)**
21. Personal Services Agreement with Puget Sound Restoration Fund to participate in the 2006-2007 Skagit Marine Resources Committee project on native oyster research/restoration in Fidalgo Bay by providing surveys, supplies, and physical labor. The agreement shall commence upon the date of execution and continue until June 30, 2007. Funding of \$9,000 is fully covered by a grant from the Northwest Straits Commission. **(Contract No. C20060121)**
22. Resolution authorizing the ratification of a Personal Services Agreement with HDR Engineering, which is necessary for continuation of service, prior to contract signing. The previous contract expired on December 31, 2005. **(Resolution No. R20060097)**
23. Personal Services Agreement with HDR Engineering to assist Skagit County Public Works Department with a Request for Proposal development related to privatization of its municipal solid waste transfer station operations and an emergency structural repair of the current Transfer Station building. The agreement shall commence on January 1, 2006, and continue until December 31, 2006. Compensation shall not exceed \$50,000. **(Contract No. C20060122)**
24. Vendor Services Agreement with Materials Testing & Consulting, Inc, to provide material testing and special inspection services as needed by the County for various road and bridge construction projects. The agreement shall commence on March 20, 2006, and continue until either party terminates by giving 30 days notice in writing, but in no event shall the contract continue for more that two years from date of execution. Contractor will be paid for actual work performed, up to a maximum amount payable of \$100,000. **(Contract No. C20060123)**
25. Vendor Services Agreement with ProScapes, Inc., to furnish and install landscaping plants, two hose bibs, and provide landscaping maintenance for two years of the planting areas at the Guemes Ferry/Anacortes Parking Lot Project in Anacortes. The agreement shall commence upon the date of execution and continue until either party terminates by giving 30 days notice in writing, but in no event shall the contract continue for more that two years from date of execution. County will pay the Contractor at the rate of \$168.00 plus tax per month for the prior months service herein agreed to be performed. **(Contract No. C20060124)**
26. Vendor Services Agreement with Dakota Creek Industries for the overhaul of Model 370 DF Out Drive Unit for the M/V Guemes Island Ferry to assemble the entire propulsion until after repair. The agreement shall commence upon the date of execution and continue until either party terminates by giving 30 days notice in writing, but in no event shall the contract continue for

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more than one year from date of execution. Compensation shall not exceed a maximum of \$42,712. **(Contract No. C20060125)**

**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, March 13, 2006, 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 Xpress Flex from Clearing Fund 696 in the total dollar amount of \$390.50 (Transmittal No. C-23-06); and

ACH Transfer Request Form and Certification to Premera Blue Cross from Clearing Fund 696 in the total dollar amount of \$346,055.34 (Transmittal No. C-24-06); and

Warrants numbered 217829 through 218154 from Clearing Fund 696 in the total dollar amount of \$600,261.85 (Transmittal No. C-26-06); and

ACH Transfer Request Form and Certification to Premera Blue Cross from Clearing Fund 696 in the total dollar amount of \$172,073.85 (Transmittal No. C-27-06); and

Warrants numbered 218155 through 218155 from Clearing Fund 696 in the total dollar amount \$8,266.11 (Transmittal No. C-28-06); and

Warrants numbered 218156 through 218707 from Clearing Fund 696 in the total dollar amount of \$3,835,399.64 (Transmittal No. C-30-06); and

Payroll warrants numbered 182213 through 183000 from Clearing Fund 695 in the total dollar amount of \$950,189.24 (Transmittal No. P-09-06).

1. Staff presented a resolution granting the appeal of Michael Haffey and Reversing Hearing Examiner's Decision that approved Special Use Permit PL05-0065.

Commissioner Anderson motioned to approve the resolution. Chairman Dahlstedt seconded the motion, which carried. **(Resolution No. R20060098)**

2. Staff presented a resolution upholding the Hearing Examiner's Findings of Fact, Conclusions of Law and Decision Regarding Permit Application PL04-0941.

Commissioner Anderson motioned to approve the resolution. Chairman Dahlstedt seconded the motion, which passed unanimously. **(Resolution No. R20060099)**

**PUBLIC COMMENT PERIOD**

No one was present for public comment period.

**BID OPENING – EQUIPMENT RENTAL WITH EXPECTED ANNUAL EXPENDITURES TO EXCEED \$25,000**

Cliff Butler and Margo Frydenlund of Public Works opened the following bids for the equipment rental with expected annual expenditures to exceed \$25,000:

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Birch Equipment Rental and Sales  
2609 Old 99 South  
Mount Vernon, WA 98273  
Various Equipment  
Clyde/West Inc.  
8207 So. 216<sup>th</sup> ST.  
Kent, WA 98032  
Various Equipment

East Valley Sand & Gravel  
P.O. Box 3393  
Arlington, WA 98223  
Various Equipment

Hertz Equipment Rental Corp.  
4403 20<sup>th</sup> St. E.  
Fife, WA 98424  
Various Equipment

Pape Machinery  
420 E. Hickox Road  
Mount Vernon, WA 98273  
Various Equipment

Powerscreen of Washington, Inc.  
32613 SR. 2  
Sultan, WA 98294  
Various Equipment

Star Rentals  
12505 Mukilteo Speedway  
Lynnwood, WA 98087  
Various Equipment

United Rentals  
1868 Walton Drive  
Burlington, WA 98233  
Various Equipment

Van's Equipment Co.  
212 County Shop Lane  
Burlington, WA 98233  
Various Equipment

Mr. Butler indicated that he would review the bids and recommendations would be forthcoming.

**ADJOURNMENT.**

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

**BOARD OF COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON**

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Kenneth A. Dahlstedt, Chairman

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Ted W. Anderson, Commissioner

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Don Munks, Commissioner

ATTEST:

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Melissa Collins, Assistant Clerk of the Board  
Skagit County Board of Commissioners