

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, AUGUST 14, 2006**

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| 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. – 10:30 a.m. | Closed Record Appeal No. PL06-0573 Submitted by Jerry VanderVeen of Special Use Request No. PL05-0173 and Reconsideration Request No. PL06-0271 Submitted by Wireless Facilities, Inc. on Behalf of Cingular Wireless |
| *T 10:45 a.m. – 11:00 a.m. | Bid Opening – Skagit County Behavioral Triage Center Remodel |
| 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. – 3:30 p.m. | Executive Session – Personnel, Litigation and Land Acquisition |

The Skagit County Board of Commissioners met in regular session on Monday, August 14, 2006, with Commissioners Kenneth A. Dahlstedt, Ted W. Anderson and Don Munks present.

CLOSED RECORD APPEAL NO. PL06-0573 SUBMITTED BY JERRY VANDERVEEN OF SPECIAL USE REQUEST NO. PL06-0271 SUBMITTED BY WIRELESS FACILITIES, INC. ON BEHALF OF CINGULAR WIRELESS.

Marge Swint, Associate Planner, explained that this request is for the construction of an unmanned wireless telecommunication facility on an approximate 60 foot replacement Puget Sound Energy (PSE) utility pole with two flush mount antennas. She said the pole will be replacing a 33 foot wood PSE utility pole and the utility pole is located within the right of way of Mountain View Road northeast of the hairpin turn.

Ms. Swint went on to say that an open record hearing was held in front of the Skagit County Hearing Examiner on February 8, 2006. At the public hearing Jerry VanderVeen, owner of adjoining undeveloped property, objected to the site selected because of what he believes will be a negative impact on views from the residence he hopes to some day build on.

Ms. Swint said the Hearing Examiner allowed the hearing to remain open for one week for both the applicant and Mr. VanderVeen to provide additional information concerning the possibility of moving the tower to a different pole in the same area. She stated the Examiner issued a written decision with conditions on March 7, 2006.

Mr. VanderVeen explained that he had asked the Hearing Examiner which pole was being discussed as there was confusion. Mr. VanderVeen shared a map with the Board showing the location of the pole. He also discussed the Skagit County Code specifications.

Molly Lawrence, Attorney for Buck and Gordon, representing Cingular, said that Cingular has met all criteria, for the location and then she shared a map of the location and explained the Hearing Examiners decision as well as the terms for the County Code.

Kim Kelley, a local realtor, advised the Commissioners that she has sold property around this area and is concerned of the critical area and feels the pole will interfere with the view of this property.

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John Cooper, Planning and Development Services, said that Adapt Engineering said the site plan provided by Cingular does not reflect the slope but the field observation did. He stated that regardless of where they put the pole on the slope it is stable per reports that have been done.

Commissioner Anderson motioned to make a decision on Tuesday, August 15, 2006, at 8:30 a.m. Commissioner Munks seconded the motion, which carried.

BID OPENING – SKAGIT COUNTY BEHAVIORAL TRIAGE CENTER REMODEL.

Roger Howard, Director of Facilities Management, introduced the new Assistant County Architect Suzanne Gilbert. Mr. Howard then opened the following bids for the Skagit County Behavioral Triage Center remodel:

Van Rossen Construction, Inc.
2526 Baker Avenue
Everett, WA 98201
Bid Bond Acknowledged
Addendum 1 Acknowledged
Total Bid: \$340,245.00

Ebenal General, Inc.
P.O. Box 31548
Bellingham, WA 98228
Bid Bond Acknowledged
Addendum 1 Acknowledged
Total Bid: \$476,000.00

Roosendaal-Honcoop Construction, Inc.
5977 Guide Meridian
Bellingham, WA 98226
Bid Bond Acknowledged
Addendum 1 Acknowledged
Total Bid: \$386,200.00

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

CONSENT AGENDA.

Commissioner Anderson motioned to approve the Consent Agenda for Monday, August 14, 2006, items 1 through 8 and items 10 through 15 and 17 through 37. Commissioner Munks seconded the motion, which passed unanimously.

COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Monday, July 31, 2006. **(Approved)**

ADMINISTRATIVE SERVICES:

2. Resolution ratifying Amendment No. 2 to Interlocal Agreement **No. C20050343** between Skagit County and Washington State University (Division of Governmental Studies and Services) to conduct organizational assessment surveys to County employees and the public. **(Resolution No. R20060261)**

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3. Amendment No. 2 to Interlocal Agreement **No. C20050343** with Washington State University (WSU) (Division of Governmental Studies and Services) to conduct organizational assessment surveys to County employees and the public. The amendment is requested by WSU to provide additional time necessary to conduct employee focus groups in order to validate survey results. The amendment extends the completion date to December 31, 2006, and adds \$2,000 for a new contract total of \$72,294. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20060092)**
4. Advertising Agreement between Skagit County and Skagit Valley Publishing Weekly Network to provide advertising services for Skagit County. The agreement shall commence on July 1, 2006, and continue through June 30, 2007. Compensation shall not exceed \$20,000. **(Contract No. C20060346)**
5. Advertising Agreement between Skagit County and Skagit Valley Herald to provide advertising services for Skagit County. The agreement shall commence on July 1, 2006, and continue through June 30, 2007. Compensation shall not exceed \$60,000. **(Contract No. C20060347)**

BUDGET & FINANCE:

6. Interlocal Cooperative Agreement, per Resolution No. R20060012, between Skagit County and Public Utility District No. 1 of Skagit County to provide public facility funding in the amount of \$85,000 for the Chuckanut Drive Water System Improvements Project. The agreement shall become effective upon execution and shall continue until completion of the Project. **(Contract No. C20060348)**
7. Interlocal Cooperative Agreement, per Resolution No. R20060012, between Skagit County and Public Utility District No. 1 of Skagit County to provide facility funding in the amount of \$80,000 for the BayView Edison Industries Water Main Project. The agreement commenced on January 1, 2006, and shall continue until completion of the Project. **(Contract No. C20060349)**

EMERGENCY MANAGEMENT:

8. Resolution AND Memorandum of Agreement with Washington State Military Department -Emergency Management Division, to provide surplus radiological detection instrumentation and other equipment (rehabilitated and provided at no cost), as well as training and technical assistance. The equipment is "half-face respirators" (30), requested by the Skagit County Fire District #4 in Clear Lake. The agreement shall commence upon execution and continue until June 5, 2008. **(Resolution No. R20060262 AND Contract No. C20060350)**

FARMLAND LEGACY:

9. Cooperative Agreement with the Natural Resource Conservation Service of the United States Department of Agriculture. This agreement will enable the County to take advantage of a \$275,275 matching grant through the Federal Farm and Ranchland Protection to purchase agricultural conservation easements on farmland through the Skagit Farmland Legacy Program. The agreement shall commence on July 15, 2006, and continue until September 30, 2008. The required match from Skagit County will be \$269,275, to be drawn from the Conservation Futures tax, already dedicated to the Farmland Legacy Program. **(This item was pulled and signed separately)**

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HEALTH DEPARTMENT:

10. Resolution AND Interlocal Cooperative Agreement between Skagit County and the Washington On-Site Sewage Association (WOSSA) to provide testing management services for various County certifications relating to the local on-site sewage certification programs for installation, operations, maintenance and pumping as needed. There is no financial consideration for this contract and the duration is June 30, 2006, until terminated. **(Resolution No. R20060263 AND Contract No. C20060351)**

HUMAN SERVICES:

11. Resolution AND Interagency Agreement between North Sound Mental Health Administration and Skagit County to provide for Mental Health Administration, development, planning and special mental health projects in Skagit County. The agreement commenced on January 1, 2006, and shall continue until December 31, 2006. Compensation shall not exceed \$64,805. **(Resolution No. R20060264 AND Contract No. C20060352)**

INFORMATION SERVICES:

12. Personal Services Agreement with VP Consulting, Inc., to provide integrated document imaging services to Skagit County per terms equivalent to a competitively negotiated contract by Lewis County. VP Consulting will support, assist and provide maintenance to Skagit County for the LaserFiche document imaging system software utilized by many departments within Skagit County. The agreement shall commence on August 1, 2006, and shall continue until terminated. **(Contract No. C20060353)**

PARKS AND RECREATION:

13. Resolution authorizing the Parks and Recreation Department to publish a request for qualifications for assistance in the planning and development for the construction of a new indoor recreation and event center. **(Resolution No. R20060265)**

PLANNING & DEVELOPMENT:

14. Personal Services Agreement with Studio Cascade to provide services in connection with the South Fidalgo Subarea Plan. The agreement commenced on June 8, 2006, and shall continue until June 1, 2007. Compensation shall not exceed \$45,100. **(Contract No. C20060354)**

PROSECUTING ATTORNEY:

15. Resolution providing a defense to Gary Shand and Ted W. Anderson in a Lawsuit filed in Skagit County Superior Court by Terrance Jon Irby. **(Resolution No. R20060266)**
16. Building Lease Agreement between Skagit County and Fred R. and Arlene M. Miller for property located at 1204 Cleveland Street. The premises are to be used for the purpose of conducting Family Support Legal Services beginning July 1, 2006, and continuing through June 30, 2010. The rental rate shall be \$3,775 per month. **(Pulled - pending further information)**

YOUTH & FAMILY SERVICES:

17. Resolution AND Interlocal Cooperative Agreement between the City of Mount Vernon and Skagit County to provide a one day Eagle Rock Challenge course to a group of youth. The course will provide a structured summer recreation for youth as an opportunity to enhance self esteem as well as other positive physical and social outcomes. The agreement commenced on July 1, 2006, and shall continue through June 30, 2007. Compensation shall not exceed \$450.00. **(Resolution No. R20060267 AND Contract No. C20060355)**
18. Personal Services Agreement with Chinook Enterprises to provide vocational services for offenders and at-risk youth of Skagit County in the following areas: Employment Assessment; Employment Preparation; Job Development; Training-Site Support and Job Retention. The agreement shall commence on September 1, 2006, and continue until August 31, 2008. Compensation shall not exceed \$2,500 annually/\$5,000 total. **(Contract No. C20060356)**
19. Personal Services Agreement with Northwest Workforce Development Council to provide direct vocational counseling services to numerous young people in detention facilities in Skagit and Whatcom Counties. Funds for this project are provided to the Department of Youth and Family Services by the Mount Vernon School District. The agreement commenced on July 1, 2006, and shall continue until August 31, 2007. Maximum reimbursement for service and preparation time under this agreement shall not exceed \$30,915. **(Contract No. C20060357)**
20. Personal Services Agreement with Catholic Community Services to provide specialized child, adolescent, adult and family assessment, evaluation and treatment (group and/or individual and/or families), consultation, education classes, monitoring with written reports as required, and training as referred by the County, as well as "Children in the Middle Workshop". The workshop consists of 4.5 hours and will help the child during separation or divorce. The agreement commenced on July 1, 2006, and shall continue until June 30, 2008. Compensation shall not exceed \$20,000. **(Contract No. C20060358)**
21. Resolution authorizing the Sheriff's Department to conduct background checks on applicants for employment and for volunteer positions within County Government. **(Resolution No. R20060268)**
22. Personal Services Agreement with Susan Gardner, MSW, to provide specialized child, adolescent, adult and family assessment evaluation and treatment (group and/or individual and/or families), consultation, education classes, monitoring with written reports as required and training as referred by the County. The agreement commenced July 1, 2006, and shall continue until June 30, 2008. Compensation shall not exceed \$10,000. **(Contract No. C20060359)**
23. Resolution authorizing the ratification of Personal Services Agreement No. C20060046 to allow for the provision of Fetal Alcohol Spectrum Disorders (FASD) trainings in the Scope of Work and to increase the compensation by \$5,000 to cover the cost of the services provided through this amendment. **(Resolution No. R20060269)**
24. Amendment No. 1 to Personal Services Agreement **No. C20060046** with Heather Carmichael Olson, Ph.D. The amendment adds the provision of FASD trainings in the Scope of Work and increases compensation by \$5,000 for a new contract total of \$8,500. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20060093)**

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PUBLIC WORKS DEPARTMENT:

25. Resolution awarding the bid for on-call repairs and maintenance and inspection of fixed and mobile cranes operated by Skagit County to Crane America for the low bid amount of \$34,999. **(Resolution No. R20060270)**
26. Resolution calling for a Public Hearing regarding the proposed 2007-2012 Six-Year Transportation Improvement Program. The hearing will be held on Tuesday, August 29, 2006, at 9:00 a.m. **(Resolution No. R20060271)**
27. Resolution calling for a Public Hearing regarding the annual sale of County surplus property consisting of vehicles and equipment, parts, tools and miscellaneous office furniture and supplies. The hearing will be held on Monday, September 11, 2006, at 9:30 a.m. **(Resolution No. R20060272)**
28. Amendment No. 1 to Personal Services Agreement **No. C20050452** with Semrau Engineering & Surveying, PLLC for continued evaluation of the Bay View Watershed Stormwater Plan. The amendment incorporates the extra evaluation into the existing contract and increases compensation by \$40,000 to cover the additional work, for a new contract total of \$137,000. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20060094)**
29. Personal Services Agreement with Coastal Geologic Services to provide a critical shoreline sediment assessment needed by the Skagit County Marine Resources Committee in development of recommendations and plans for restoration and enhancement of forage fish habitat around the March's Point Peninsula of Fidalgo Island. The agreement shall commence upon the date of execution and continue until June 30, 2007. Compensation shall not exceed \$25,000. **(Contract No. C20060360)**
30. Resolution authorizing the execution of an Interlocal Agreement with Washington State Department of Ecology for joint funding of local matching portion of funding commitment specified in Joint Funding Agreement No. C20060264 between Skagit County and the United States Department of the Interior. **(Resolution No. R20060273)**
31. Intergovernmental Agreement between Skagit County and Washington State Department of Ecology for joint funding of local matching portion of funding commitment specified in Joint Agreement No. C20060264 between Skagit County and the United States Department of the Interior – U.S. Geological Survey, thereby reducing Skagit County's funding commitment to \$93,250 from \$186,500. This Intergovernmental Agreement fulfills one of the requirements of the Stipulation and Settlement Agreement and Agreed Order of Dismissal between Skagit County and the Washington State Department of Ecology in Thurston County Superior Court. **(Contract No. C20060361)**
32. Vendor Services Agreement between Skagit County and Industrial Mowing and Spraying to provide mowing services on various roads. The agreement shall commence on August 14, 2006, and shall continue until either party terminates, but in no event shall the contract continue for more than one year from the date of execution. Compensation shall not exceed \$9,300. **(Contract No. C20060362)**
33. Amendment No. 1 to Coordinated Prevention Grant **No. C20050547** with the Department of Ecology to increase, through restored funding, the amount of the Coordinated Prevention Grant by an additional \$75,264, of which Skagit County Public Works is responsible for 25% (\$18,816), for a new contract total of \$96,014 through December 31, 2007. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20060095)**

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34. Resolution declaring sole source purchase for ferry outdrives and parts distributed by Cummins Northwest, LLC for the Guemes Island Ferry. The total amount due on the outstanding invoice is \$3,182.86. **(Resolution No. R20060274)**
35. Resolution authorizing an Interlocal Agreement with the City of Anacortes to transfer Federal Surface Transportation funds totaling \$600,000 from the Sunset Avenue Pedestrian Improvements Project to Skagit County for use on the Helmick Road Project in exchange for an equal amount of Road Fund monies. **(Resolution No. R20060275)**
36. Interlocal Cooperative Agreement between Skagit County and the City of Anacortes for the exchange of Federal Surface Transportation Program funds designated for use on the Sunset Avenue Pedestrian Improvements Project for \$600,000 of the County's Road Fund monies. The Federal funds will be used by the County on the Helmick Road Project that already has Federal funds. The Road Fund monies will be used by the City on the Sunset Avenue Pedestrian Improvement Project. The agreement shall commence upon the date of execution and continue through December 31, 2007. **(Contract No. C20060363)**
37. Construction Contract with The Phoinix Corporation for the Hansen Creek Sub Flood Control Zone Dredging Project, for the low bid amount of \$69,660. Work consists of the improvement of Hansen Creek, including removal of accumulated sediment from approximately 4,000 linear feet of Hansen Creek, stockpiling removed sediment at designated areas, clearing vegetation and restoration of disturbed areas. The agreement shall commence on August 14, 2006, and continue until the project is completed. **(Contract No. C20060364)**

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, August 14, 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 Premera Blue Cross from Clearing Fund 696 in the total dollar amount of \$97,843.89 (Transmittal No. C-89-06); and

ACH Transfer Request Form and Certification to Premera Blue Cross from Clearing Fund 696 in the total dollar amount of \$49,050.96 (Transmittal No. C-91-06); and

Warrants numbered 229459 through 229721 from Clearing Fund 696 in the total dollar amount of \$1,051,837.28 (Transmittal No. C-92-06); and

Warrants numbered 229722 through 229723 from Clearing Fund 696 in the total dollar amount of \$16,019.95 (Transmittal No. C-93-06); and

Warrants numbered 229724 through 229870 from Clearing Fund 696 in the total dollar amount of \$2,923,685.67 (Transmittal No. C-94-06); and

Warrants numbered 229871 through 230314 from Clearing Fund 696 in the total dollar amount of \$1,342,728.34 (Transmittal No. C-95-06); and

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Payroll warrants numbered 190506 through 191437 from Clearing Fund 699 in the total dollar amount of \$1,169,549.67 (Transmittal No. P-29-06); and

Payroll warrants numbered 971309 through 971463 from Clearing Fund 699 in the total dollar amount of \$206,606.82 (Transmittal No. P-30-06); and

Payroll warrants numbered 971464 through 971464 from Clearing Fund 699 in the total dollar amount of \$2,055.34 (Transmittal No. P-31-06).

2. Commissioner Anderson motioned to approve a Resolution AND a Cooperative Agreement with the Natural Resource Conservation Service of the United States Department of Agriculture. This agreement will enable the County to take advantage of a \$275,275 matching grant through the Federal Farm and Ranchland Protection to purchase agricultural conservation easements on farmland through the Skagit Farmland Legacy Program. The agreement shall commence on July 15, 2006, and continue until September 30, 2008. The required match from Skagit County will be \$269,275, to be drawn from the Conservation Futures tax, already dedicated to the Farmland Legacy Program. Commissioner Munks seconded the motion, which passed unanimously. **(Resolution No. R20060276 AND Contract No. C20060365)**
3. Commissioner Anderson motioned to approve a resolution awarding the bid for the Howard Miller Steelhead Park Project to Northwest Logging and Excavation for the low bid amount of \$39,020. Commissioner Munks seconded the motion, which carried. **(Resolution No. R20060277)**
4. Commissioner Anderson motioned to approve a contract between Skagit County and Northwest Logging and Excavation for the boat launch repair work at Howard Miller Steelhead Park. Commissioner Munks seconded the motion, which passed. **(Contract No. C20060366)**
5. Commissioner Anderson motioned to approve an Agreement between Skagit county Commissioners, the Sheriff of Skagit County and the Sheriff's Office Support Staff represented by Service Employees International Union Local 925, effective January 1, 2005 through December 31, 2007. Commissioner Munks seconded the motion, which carried. **(Contract No. C20060367)**

PUBLIC COMMENT PERIOD.

During the public comment period, the following citizens spoke:

Ellen Bynum, Director of Friends of Skagit County, briefed the Board on the Friends comments made on the proposed Clear Valley Wetland Mitigation Bank.

June Kite, President of Friends of Skagit County, addressed the issue of a grading permit application in the Skagit Valley Herald public notices for Clear Valley Environmental Farms.

Tom Glade, 2306 17th Street, Anacortes, discussed the South Fidalgo Island Sub Area Plan and explained that he felt the County does not need a new consultant or spend any additional time as the comp plan is adequate.

Allan Jett said he had a letter to present to the Board of Commissioners and would like to receive a date/time stamp on it verifying it was received. Chairman Dahlstedt advised Mr. Jett to take the letter in to the Commissioner's Office and staff would time/date stamp his letter for him.

Tom Solberg discussed the Samish River Watershed Instream Flow with Department of Ecology and said he wished to be on the same unaffiliated caucus.

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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:

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