

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, SEPTEMBER 24, 2007**

The Skagit County Board of Commissioners met in regular session on Monday, September 24, 2007, with Commissioners Commissioner Don Munks, Commissioner Kenneth A. Dahlstedt, and Commissioner Sharon D. Dillon present.

I. MONDAY, SEPTEMBER 24, 2007:

- A. 8:00 a.m. - 10:00 a.m. Work Session - County Commissioners/County Administrator/Deputy Administrator
- B. 10:00 a.m. - 11:00 a.m. Discussion/Possible action - Amendment of Skagit County Code 12.05 - On-site Sewage Code and the On-site Sewage System Management Plan

Chair Dillon stated there would be no action taken on the Amendment of Skagit County Code 12.05 - On-site Sewage Code and the On-site Sewage System Management Plan due to an error in the publication of today's meeting in the Skagit Valley Herald, which is the County's newspaper of record. Chair Dillon said the decision will be deferred to the next Board of Health meeting in October.

Corinne Story, Environmental Health Supervisor, informed the Board there have been several citizens responding to comments made after the September 17, 2007, public hearing.

Steve Olsen, Environmental Health Specialist, addressed comments received at the Public Hearing on September 17, 2007.

Howard Gulley, Erica Picket, Carl Garrison, and Charles Davis were present and gave testimony regarding the amendment of Skagit County Code 12.05.

- C. 11:00 a.m. - 11:15 a.m. Consent Agenda
- D. 11:15 a.m. - 11:30 a.m. Miscellaneous Items
- E. 11:30 a.m. - 11:45 a.m. Public Comment Period

No one was present for the public comment period.

- F. 11:45 a.m. - 12:00 p.m. Proclamation Skagit Kid's Read Week September 23 - 29, 2007

Commissioner Munks read a Proclamation declaring September 23 - 29, 2007, as Skagit Kid's Read Week.

- G. 1:30 p.m. - 4:00 p.m. Executive Session - Potential Litigation

The executive session commenced at 1:30 p.m. and concluded at 4:00 p.m.

II. CONSENT AGENDA:

A motion was made by Commissioner Don Munks to approve the Consent Agenda, items 1 through 32. Commissioner Kenneth A. Dahlstedt seconded the motion, which passed unanimously.

a) COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Monday, September 17, 2007. **(Approved)**
2. Record of the Proceedings for Tuesday, September 18, 2007. **(Approved)**

b) ADMINISTRATIVE SERVICES:

3. Resolution to modify Resolution Nos. 18266, 18412, Resolution No. R20020372 and Resolution No. R20030048, which modifies the membership and establishes procedures for appointing members to the Law and Justice Council. **(Resolution No. R20070458)**

c) ASSIGNED COUNSEL:

4. Personal Services Agreement with Thomas E. Seguire, Attorney at Law, to provide legal representation to indigent defendants referred by the Office of Assigned Counsel. The Agreement shall commence upon the date of execution and continue until December 31, 2008. Compensation shall not exceed \$15,000. **(Contract No. C20070542)**
5. Personal Services Agreement with Carol Cornwall-Edson, Attorney at Law, to provide legal representation to indigent defendants referred by the Office of Assigned Counsel. The Agreement shall commence upon the date of execution and continue until December 31, 2008. Compensation shall not exceed \$25,000. **(Contract No. C20070543)**
6. Amendment No. 1 to Personal Services Agreement No. C20060456 with Jennifer Howson, Attorney at Law, which changes the compensation language to read, "compensation is not to exceed \$75,000 without prior approval of Skagit County." All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20070134)**
7. Amendment No. 1 to Personal Services Agreement No. C20060457 with Roy Howson, Attorney at Law, which changes the compensation language to read, "compensation is not to exceed \$75,000 without prior approval of Skagit County." All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20070135)**

d) BUDGET AND FINANCE:

8. Amendment No. 2 to Personal Services Agreement No. C20070176 with Skagit County Community Action Agency, which amends the compensation amount by \$23,664.42 for the Alger and Hamilton food bank modular units, for a total contract amount not to exceed \$190,001.02. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment**

No. A20070136)

e) CONSERVATION FUTURES:

9. Permanent Agricultural Conservation Easement granted by the Neff estate to Skagit County. The easement will retire four (3) development rights on 151.71 acres on 8400 Block on Green Road, Burlington, at a cost of \$243,000. Half of the cost of the easement is being paid with a 2005 grant USDA-NRCS through the Federal Farm and Ranchland Protection Program. **(Contract No. C20070544)**
10. Permanent Agricultural Conservation Easement granted by Nelson Brothers Properties LLC to Skagit County. The easement will retire four (1) development rights on 45.07 acres on 1500 Block of Allen West Road, Bow, at a cost of \$77,000. Half of the cost of the easement is being paid with a 2005 grant USDA-NRCS through the Federal Farm and Ranchland Protection Program. **(Contract No. C20070545)**
11. Permanent Agricultural Conservation Easement granted by Double N II to Skagit County. The easement will retire four (1) development rights on 58.32 acres on 15000 Block of Allen West Road, Bow, at a cost of \$93,000. Half of the cost of the easement is being paid with a 2005 grant USDA-NRCS through the Federal Farm and Ranchland Protection Program. **(Contract No. C20070546)**
12. Permanent Agricultural Conservation Easement granted by the Tronsdal estate to Skagit County. The easement will retire four (1) development rights on 151.71 acres on 8400 Block on Green Road, Burlington, at a cost of \$77,000. Half of the cost of the easement is being paid with a 2005 grant USDA-NRCS through the Federal Farm and Ranchland Protection Program. **(Contract No. C20070547)**

f) DISTRICT COURT:

13. Amendment No. 1 to Personal Services Agreement No. C20070006 with The Language Exchange, which amends the Agreement to provide court-certified or qualified interpreters in all languages for hearings and trials as requested by Skagit County Superior Court, District Court and District Court Probation. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20070137)**

g) PEST AND DISEASE CONTROL:

14. Resolution authorizing the ratification of a Vendor Services Agreement with Haines Tree and Spray Services. **(Resolution No. R20070459)**
15. Vendor Services Agreement with Haines Tree and Spray Services to remediate positive apple maggot fly catches to protect and enable Skagit County apple growers to ship products out of the County. The Agreement commenced on June 15, 2007, and shall continue for one year. Compensation shall not exceed \$5,000. **(Contract No. C20070548)**

h) HUMAN SERVICES:

16. Personal Services Agreement with Catholic Community Services WW-NW to provide a Chemical Dependency Professional (CDP) for the Children's Administration Office to implement the Department of Social and Health Services (DSHS), Division of Alcohol and Substance Abuse, and Children's Administration Joint Chemical Dependency Professional Substance Abuse Services Initiative program. The Agreement commenced on September 1, 2007, and continues through June 30, 2008. Compensation shall not exceed \$54,615. **(Contract No. C20070549)**
 17. Personal Services Agreement with Elizabeth A. Findley (DBA Liz Findley Counseling Services) to provide mental health treatment services to clients participating in the Community Wellness Program. The Agreement shall commence upon the date of execution and continue through April 30, 2008. Compensation shall not exceed \$10,000. **(Contract No. C20070550)**
 18. Amendment No. 1 to County Program Agreement No. C20070464 between Skagit County and the State of Washington Department of Social and Health Services - Division of Alcohol & Substance Abuse, which increases the contract by \$103,200 for a new total of \$4,718,020.00 for Youth Group Care Enhancement services. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20070138)**
- i) INFORMATION SERVICES:
19. Amendment No. 1 to Vendor Services Agreement No. C20070384 with Right Systems, Inc., which extends the installation and integration of updating the existing MetaFrame with the current Citrix Presentation Server version until completed. The amendment adds an additional 28 hours work; maximum compensation shall not exceed \$12,000. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20070139)**
- j) PLANNING AND DEVELOPMENT SERVICES:
20. Amendment No. 1 to Personal Services Agreement No. C20070076 with the Beckwith Consulting Group, which increases the total amount of the Agreement to \$92,100 to allow for completion of the Open Space Plan. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20070140)**
 21. Resolution for the release of Protected Critical Area (PCA) Easement for property annexed into the City of Mount Vernon and subject to their critical areas ordinance requirements. **(Resolution No. R20070460)**
- k) SENIOR SERVICES:
22. Resolution authorizing the execution of an Interlocal Agreement between Skagit County and the City of Anacortes. **(Resolution No. R20070461)**
 23. Interlocal Agreement between Skagit County and the City of Anacortes to allow Skagit County Senior Services to provide staff, equipment, and materials for the delivery of community based services to the citizens of the

City of Anacortes. The Agreement shall commence on January 1, 2008, and continue until December 31, 2008. **(Contract No. C20070551)**

l) SHERIFF:

24. Resolution authorizing the execution of an Interlocal Agreement with the Washington Department of Social and Health Services (DSHS). **(Resolution No. R20070462)**
25. Interlocal Agreement with the Washington Department of Social and Health Services (DSHS) to establish procedures for fingerprinting of caretakers and members of the household in which the Department is considering placing children. The Agreement commenced on August 1, 2007, and shall continue until December 31, 2007. **(Contract No. C20070552)**

m) YOUTH AND FAMILY SERVICES:

26. Amendment No. 1 to County Program Agreement No. C20060421 with the Washington State Department of Social and Health Services - Juvenile Accountability Block Grant (JABG) Program Agreement. This Amendment changes the Agreement project date to commence on August 31, 2007, and continue until August 31, 2008. Compensation is increased by \$10,000 for a maximum amount not to exceed \$20,000. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20070141)**

n) PUBLIC WORKS:

27. Resolution authorizing a Small Works Roster award to Northwest Underwater Construction for the North Fork Bridge and South Fork Bridge Debris Removal Project (PD-40037-5 and PD-40008-4). **(Resolution No. R20070463)**
28. Vendor Services Agreement with Calypso Restoration to provide maintenance of County-owned Conservation Reserve Enhancement Program sites twice a year as outlined by the Skagit Conservation District (SCD) at Martin Slough, Day Creek, and Etach Creek. The Agreement shall commence upon the date of execution and continue until December 30, 2008. Compensation shall not exceed \$10,000. **(Contract No. C20070553)**
29. Resolution authorizing the ratification of a Vendor Services Agreement with Dakota Creek Industries, Inc. **(Resolution No. R20070464)**
30. Vendor Services Agreement with Dakota Creek Industries, Inc. for emergency dry docking and out drive repairs to the Guemes Island Ferry. The Agreement commenced on August 7, 2007, and will continue until the work is complete. Compensation shall not exceed \$30,000. **(Contract No. C20070554)**
31. Resolution authorizing the execution of an Interlocal Agreement with Washington State University (WSU). **(Resolution No. R20070465)**
32. Interlocal Cooperative Agreement between WSU and Skagit County in which

WSU will provide support for two 100-hour WSU Beach Watcher core training programs in Skagit County, and the recruitment of volunteers. This grant funded project expires July 31, 2009. Compensation shall not exceed \$23,500. **(Contract No. C20070555)**

III. 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, the Board by majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:
 - a) Warrants numbered 256846 through 257241 from Clearing Fund 696 in the total dollar amount of \$3,248,478.45 (Transmittal No. C-145-07); and
 - b) Warrants numbered 257242 through 257381 from Clearing Fund 696 in the total dollar amount of \$603,091.83 (Transmittal No. C-147-07).
 - c) A resolution was brought forth authorizing the formation of a Water Resources Advisory Committee with terms extending from the date of signature until June 30, 2009. **(Resolution No. R20070466)**

A motion was made by Commissioner Don Munks to approve a Resolution forming a Water Resources Advisory Committee with terms extending from the date of signature until June 30, 2009. Commissioner Kenneth A. Dahlstedt seconded the motion, which passed unanimously.

- d) Resolution authorizing litigation to enforce compliance with the Skagit County Development, Building, Fire, and Health Codes and to abate a public nuisance maintained by Travis R. and Marla L. Martinez. **(Resolution No. R20070467)**

A motion was made by Commissioner Don Munks to approve a Resolution authorizing litigation to enforce compliance with the Skagit County Development, Building, Fire, and Health Codes and to abate a public nuisance maintained by Travis R. and Marla L. Martinez, Commissioner Kenneth A. Dahlstedt seconded the motion, which passed unanimously.

ADJOURNMENT.

Chair Dillon adjourned the proceedings.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Sharon D. Dillon, Chairman

Don Munks, Commissioner

Kenneth A. Dahlstedt, Commissioner

ATTEST:

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