

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
TUESDAY, SEPTEMBER 9, 2008**

The Skagit County Board of Commissioners met in regular session on Tuesday, September 9, 2008, with Commissioners Don Munks, Kenneth A. Dahlstedt, and Sharon D. Dillon present.

I. CALL TO ORDER:

Chairman Munks called the proceedings to order at 8:04 a.m.

II. PLEDGE OF ALLEGIANCE:

Chairman Munks led the Board in the flag salute.

III. AGENDA:

A. *8:00 a.m. - 8:30 a.m. Consent Agenda and Miscellaneous items

B. 8:30 a.m. - 9:15 a.m. Public Works Department - James E. Voetberg, Director

1. Public Hearing - Consideration of Adoption of Revision No. 3 to the 2008-2013 Six-Year Transportation Improvement Program (TIP)

Ann Marie Gutwein, Programs Manager, provided a brief overview of the proposed projects which are located on Bow Hill Road and Francis Road. Ms. Gutwein stated Public Works has applied for funding for these projects from the County Road Administration Board.

Chairman Munks opened the public hearing at approximately 8:40 a.m.

There being no public testimony forthcoming, Commissioner Dahlstedt made a motion to close the public hearing at 8:41 a.m. The motion was seconded by Commissioner Dillon and carried.

Commissioner Dahlstedt made a motion to adopt the Revision No. 3 of the 2008-2013 Six-Year TIP. The motion was seconded by Commissioner Dillon and carried.
(Resolution No. R20080428)

2. Signature - Resolution Adopting the 2008 Annual Construction Program, Revision No. 3

A motion was made by Commissioner Dahlstedt to approve the adoption of the 2008 Annual Construction Program, Revision No. 3.
(Resolution No. R20080429) Commissioner Dillon seconded the motion, which passed unanimously.

3. Update - Engineering Division Projects

Jeff Miller, Assistant Public Works Director, presented an overview of the projects the Public Works Department is currently working on, as follows:

1. McLean Road Roundabout; and
2. Fir Island Road paving; and
3. La Conner-Whitney Road microseal; and
4. Samish Island Road culvert; and
5. Sunset Lane drainage correction; and
6. School safety zone lights; and
7. Bryson rock removal; and
8. Cockreham mitigation; and
9. South Shore Road on Guemes Island.

Chairman Munks commented on the complaints that have been received from the citizenry regarding the rough road surface on the La Conner-Whitney Road. Mr. Miller informed the Commissioners the contractor is going to review the road surface to see if they can smooth it out.

4. Miscellaneous

Dan Berentson reported the Public Works Department has received first place in excellence in communication award from the National Association of Flood & Stormwater Management Agencies for outstanding print media campaign for the "Skagit River Flood Risk" campaign.

C. 9:15 a.m. - 9:45 a.m. Update - Skagit County Libraries

Maggie Buckholz, Director of the Burlington Library, thanked the Commissioners for their financial contribution to libraries in Skagit County. Ms. Buckholz went on to advocated for the County to increase their financial contribution from \$48,000 to \$400,000. Ms. Buckholz stated the increase would cover the costs of unincorporated county residents who use the library facilities but who do not purchase library cards.

The following citizens encouraged the Commissioners to consider increasing their contribution to Skagit County libraries; Julie Bell, a resident of unincorporated Skagit County, Dale La Cross, a resident of Anacortes, Brian Soneda, Director of the Mount Vernon Library, Mayor Brunz of the City of Burlington, and Mayor Norris of the City of Mount Vernon

The Commissioners stated they support the library system but are challenged by the current County budget situation. They thanked everyone for their input.

D. 9:45 a.m. - 10:15 a.m. Consideration - Settlement Agreement Regarding Lake Whatcom Litigation

Will Honea, Chief Civil Deputy Prosecuting Attorney, brought forth a proposed settlement agreement with the State of Washington, City of Bellingham, Whatcom County, Mount Baker School District and others. Mr. Honea explained this settlement agreement is contingent upon the appropriation of money by the Washington Legislature. He went on to say they intend that the litigation will be stayed until July 1, 2009, in order to determine whether the Washington Legislature will appropriate the money

required to meet the State's share of the obligations set forth in the settlement agreement.

A motion was made by Commissioner Dahlstedt to approve the proposed settlement agreement with the State of Washington, City of Bellingham, Whatcom County, Mount Baker School District and others, to resolve the matter of Skagit County v. the State of Washington, Skagit County Superior Court Cause Number 05-2-00246-1. **(Contract No. C20080539)** Commissioner Dillon seconded the motion, which passed unanimously.

- E. 10:15 a.m. - 10:30 a.m. Proclamation - September 2008 as National Preparedness and NOAA Weather Radio Awareness Month

Commissioner Dahlstedt read a proclamation declaring September 2008 as National Preparedness and NOAA Weather Radio Awareness Month.

- F. 10:30 a.m. - 11:30 a.m. Parks & Recreation Department Update - Robert Vaux, Director

Bob Vaux, Director of Parks and Recreation, introduced members of the Parks and Recreation Advisory Board Kevin Loy and Lloyd Brown. Mr. Vaux provided the Commissioners with a quarterly update of the Parks and Recreation Department. He stated the grant applications for the Memorial Field were presented in Olympia and ranked in 18th place out of 76 applications. Mr. Vaux also updated the Commissioners on the site planning for the Indoor Recreation Center.

Brian Adams, Operations and Lands Manager, reported that Howard Miller Steel Head Park, Grandy Lake Campground, Sauk Campground, and the Swinomish Channel Boat Launch have all seen increases in revenue over the past five years. Mr. Adams also commented on the possibility of installing small cabins at Howard Miller Steel Head Park. He went on to report the Skagit Valley Playfields restroom facilities need to be repaired or possibly replaced.

Dennis Lind, Recreation Division Manager, commented on 2008 summer programs and the water quality at Clear Lake Beach. He went on to comment on the 2008 Clear Lake Triathlon.

Kevin Loy of Sedro-Woolley invited the Commissioners to visit all the parks facilities in the near future. Lloyd Brown of Big Lake thanked the Commissioners for their support of Parks and Recreation.

The Commissioners thanked the Parks and Recreation Department for the update.

- G. 11:30 a.m. - 11:45 a.m. Public Comment Period

There was no one present during the public comment period.

Commissioner Dillon congratulated the Town of Lyman for acquiring the Minkler Mansion, which will serve as the location of their new City Hall.

H. 11:45 a.m. - 12:00 p.m. Recognition of Randy Good in Appreciation of Serving on the Conservation Futures Advisory Committee

Kendra Smith, Natural Resource Lands Policy Coordination, stated Randy Good has been a member of the Board since its inception and has been an active participant. Ms. Smith also acknowledged all the members of the Conservation Futures Advisory Committee.

Carolyn Kelly, Skagit Conservation District and the current Chair of the Conservation Futures Advisory Committee, and Keith Wiggers, Farmland Legacy Board, also acknowledged Mr. Good's hard work on the Conservation Futures Advisory Committee over the past several years.

Commissioner Dahlstedt read a plaque in recognition of Randy Good's service on the Conservation Futures Advisory Committee.

IV. CONSENT AGENDA FOR TUESDAY, SEPTEMBER 9, 2008 - ITEMS 1 THROUGH 17:

A motion was made by Commissioner Dahlstedt to approve the Consent Agenda for Tuesday, September 9, 2008, items 1 through 17. Commissioner Dillon seconded the motion, which passed unanimously.

a) COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Tuesday, September 2, 2008. **(Approved)**

b) FACILITY MANAGEMENT:

2. Amendment No. 1 to Vendor Services Agreement No. C20080105 with Great Floors Commercial Sales to provide moving services of furniture and book shelves for carpet replacement at the Ted W. Anderson Building and the Concrete Library. Additional compensation in the amount of \$4,723.06 is added to the original contract for a new total not to exceed \$16,360.84. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20080169)**
3. Lease Agreement between Skagit County and The Housing Authority of Skagit County for premises located at 602 South 1st Street, Mount Vernon. The building will be used by Youth & Family Services at a rate of \$800 per month. The agreement shall commence on January 1, 2009, and continue through December 31, 2009. **(Contract No. C20080528)**

c) FAIRGROUNDS:

4. Amendment No. 1 to Vendor Services Agreement No. C20080408 with Pacific Party Canopies, which adds an additional \$2,500 to the compensation for a new total not to exceed \$5,000. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20080170)**

d) INFORMATION SERVICES:

5. Resolution declaring a sole source procurement for the PACS Marshall & Swift Residential Estimator Module from True Automation, Inc. **(Resolution No. R20080417)**
 6. Amendment No. 1 to Master License and Services Agreement No. C20070372 to True Automation, Inc., which adds an additional \$29,410 to the contract for the development of the Marshall & Swift Residential Estimator Module. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20080171)**
- e) PARKS & RECREATION:
7. Vendor Services Agreement with the Skagit Fisheries Enhancement Group to provide site preparation and other necessary work at the Northern State Recreation Area on Helmick Road in Sedro-Woolley. The agreement shall commence on September 9, 2008, and continue through September 8, 2009. Compensation shall not exceed a total of \$9,983. **(Contract No. C20080529)**
 8. Resolution authorizing the establishment of Petty Cash Fund in the amount of \$100 for the Administrative Division of Parks and Recreation. **(Resolution No. R20080418)**
 9. Resolution authorizing a revision to the Change Fund for the Swinomish Boat Launch Pay Station from \$3,000 to \$1,000. **(Resolution No. R20080419)**
- f) PLANNING & DEVELOPMENT SERVICES:
10. Amendment No. 1 to Personal Services Agreement No. C20080200 with Sehome Planning and Development Services to continue to provide land use planning services and major project review. The contract term is extended through December 31, 2009, and compensation is increased by \$10,000 for a new contract total of \$25,000. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20080172)**
 11. Amendment No. 1 to Personal Services Agreement No. C20080037 with Associated Earth Sciences, Inc. to review the geologic hazard area assessment in regards to the Welts Preliminary Plat No. PL96-0058. The amendment extends the term of the agreement to December 31, 2009, and adds an additional \$5,000 in compensation for a total not to exceed \$10,000. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20080173)**
- g) PROSECUTING ATTORNEY:
12. Amendment No. 1 to Narcotics Enforcement Multi-Jurisdictional Task Force Interlocal Agreement No. C20040496 between Skagit County and the Cities of Mount Vernon, Anacortes, Burlington, Sedro-Woolley, Town of Concrete, San Juan County, the Swinomish Tribal Community and the Washington

State Patrol. The amendment changes the applicant jurisdiction from the City of Mount Vernon and its Police Department to the Skagit County Sheriff's Office. All other terms and conditions of the original agreement shall remain in effect. **(Amendment No. A20080174)**

h) SENIOR SERVICES:

13. Amendment No. 1 to Agreement No. C20080073 with Northwest Regional Council, which provides for congregate and home-delivered meals to seniors in Skagit County. The amendment adds an additional \$6,176 in funding for various programs. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20080175)**

i) SHERIFF'S DEPARTMENT:

14. Amendment No. 1 to Contract No. C20070469 between Skagit County and the Washington State Department of Community, Trade and Economic Development, which allows the County to participate in the Narcotics Task Force Program. The agreement shall continue through June 30, 2009, for an additional \$245,968 in compensation. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20080176)**

j) PUBLIC WORKS DEPARTMENT:

15. Resolution awarding the bid for the Beaver Lake Road Culvert Replacement Project to SRV Construction, Inc. for the low bid amount of \$236,756.25. **(Resolution No. R20080420)**
16. Resolution authorizing a Request for Qualifications to assist Skagit County's compliance with the National Pollution Discharge Elimination System Phase II (NPDESII) Permit. The closing date for Statements of Qualifications are to be submitted to the Public Works Department by 4:00 p.m. on Tuesday, September 30, 2008. **(Resolution No. R20080421)**
17. Joint Funding Agreement between Skagit County and the U.S. Geological Survey to operate and maintain the Skagit River Basin gauging station network. The County's portion of the fixed cost of \$41,900 is not to exceed \$31,030. The agreement shall commence on October 1, 2008, and continue through September 30, 2009. **(Contract No. C20080530)**

V. CONTRACT RATIFICATIONS - ITEMS 18 THROUGH 32:

A motion was made by Commissioner Dahlstedt to approve the Contract Ratification Agenda for Tuesday, September 9, 2008, items 18 through 32. Commissioner Dillon seconded the motion, which passed unanimously.

k) ADMINISTRATIVE SERVICES:

18. Advertising Agreement with the Skagit Valley Herald to provide advertising

services. The agreement commenced on July 1, 2008, and shall continue through June 30, 2009. Compensation is not to exceed a total of \$60,000. **(Contract No. C20080531)**

l) AUDITOR:

19. Amendment No. 1 to Election Assistance For Individuals With Disabilities Grant Agreement No. C20080310, which changes the period of performance from January 15, 2008, through April 30, 2008, to December 1, 2007, through June 30, 2008. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20080177)**

m) FAIRGROUNDS:

20. Vendor Services Agreement with Pacific Party Canopies to provide canopies and staging, including installation in connection with the Skagit County Fair. The agreement commenced on August 5, 2008, and continued through August 11, 2008. Compensation is not to exceed a total of \$11,817.78. **(Contract No. C20080532)**
21. Vendor Services Agreement with Robert Baize, Nighthawk Security, to provide security service personnel on August 31, September 26, and September 27, 2008. The agreement commenced on August 31, 2008, and shall continue through September 28, 2008. Compensation is not to exceed a total of \$840. **(Contract No. C20080533)**

n) MEDIATION SERVICES:

22. Resolution ratifying a Personal Services Agreement with Language Line Services. **(Resolution No. R20080422)**
23. Personal Services Agreement with Language Line Services, which provides phone interpretation services as requested by Mediation and Facilitation Services. The agreement commenced on January 1, 2008, and shall continue through December 31, 2008. Compensation is not to exceed \$2,000. **(Contract No. C20080534)**

o) NOXIOUS WEEDS:

24. Resolution ratifying an Interagency Agreement with the Washington State Department of Agriculture for services to control Japanese Knotweed in the Lake Cavanaugh vicinity. **(Resolution No. R20080423)**
25. Interagency Agreement between Skagit County and its agent, the Skagit County Noxious Weed Control Board, and the Washington State Department of Agriculture to provide funding in the amount of \$4,000 for services to control Japanese Knotweed in the vicinity of Lake Cavanaugh. The agreement commenced on July 1, 2008, and shall continue through June 30, 2009. **(Contract No. C20080535)**

p) PEST CONTROL:

26. Resolution ratifying a Vendor Services Agreement with Haines Spray Service to spray all trees where apple maggots have been identified. **(Resolution No. R20080424)**
27. Vendor Services Agreement between Skagit County, through the Department of Horticultural Pest and Disease Control, and Haines Spray Service to spray all trees at the addresses where apple maggots have been positively identified. The agreement commenced on July 1, 2008, and shall continue through September 30, 2008. Compensation is not to exceed a total of \$5,000. **(Contract No. C20080536)**

q) SHERIFF'S DEPARTMENT:

28. Resolution ratifying an Interagency Agreement with the Washington Association of Sheriffs and Police Chiefs (WASPC) and the Skagit County Sheriff's Office for the Registered Sex Offender Address and Residency Verification Program. **(Resolution No. R20080425)**
29. Interagency Agreement with the Washington Association of Sheriffs and Police Chiefs (WASPC) and the Skagit County Sheriff's Office for the Registered Sex Offender Address and Residency Verification Program. The program requires face-to-face verification of a registered sex offender's address at the place of residency. The Sheriff's Office will receive a total of \$102,667.73 during the grant award period of July 1, 2008, through June 30, 2009. **(Contract No. C20080537)**

r) YOUTH & FAMILY SERVICES:

30. Amendment No. 1 to Personal Services Agreement No. C20070222 with Dr. Hower Kwon, which adds additional services to the Scope of Work as follows: to provide psychiatric medication consultation and medication management for youth referred by the staff of the Skagit County Department of Youth & Family Services. Reimbursement for these additional services will be at the rate of \$220 per 50-minute appointment. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20080178)**

s) PUBLIC WORKS DEPARTMENT:

31. Resolution ratifying an Interlocal Agreement with Skagit County Sewer District #2. **(Resolution No. R20080426)**
32. Interlocal Agreement between Skagit County and Skagit County Sewer District #2, which allows the District to be reimbursed by the County for costs related to conducting a study to evaluate the feasibility of using reclaimed wastewater to augment flows in Nookachamps Creek where water withdrawals have been limited by recent adoption of Chapter 173-503 of the Washington Administrative Code. The County's expenses in the amount of \$224,863 will be offset by grant funds from the Washington State Department of Ecology. **(Contract No. C20080538)**

VI. 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. Purchase Card Electronic Payment to JP MORGAN CHASE from Clearing Fund 696 in the total dollar amount of \$35,887.31 (Transmittal No. C-100-08); and
 - b. ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$144,598.46 (Transmittal No. C-108-08); and
 - c. Warrants numbered 281201 through 281635 from Clearing Fund 696 in the total dollar amount of \$1,900,681.92 (Transmittal No. C-109-08); and
 - d. Warrant number 281636 from Clearing Fund 696 in the total dollar amount of \$2,143.13 (Transmittal No. C-110-08); and
 - e. Warrants numbered 281637 through 281797 from Clearing Fund 696 in the total dollar amount of \$349,846.49 (Transmittal No. C-111-08); and
 - f. Payroll warrants numbered 231778 through 232659 in the total dollar amount of \$1,166,133.74 (Transmittal No. P-33-08); and
 - g. Payroll warrants numbered 980541 through 980707 in the total amount of \$245,776.32 (Transmittal No. P-34-08).
- 2) Staff brought forth an emergency resolution authorizing the expenditure of funds as required to meet the needs of the homicide investigation of September 2, 2008, and subsequent memorial related activities.

Commissioner Dahlstedt made a motion to approve an emergency resolution authorizing the expenditure of funds as required to meet the needs of the homicide investigation of September 2, 2008, and subsequent memorial related activities, which was seconded by Commissioner Dillon and passed unanimously.
(Resolution No. R20080427)

VII. ADJOURNMENT

Chairman Munks adjourned the regular proceedings at 11:55 a.m.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Don Munks, Chairman

Kenneth A. Dahlstedt, Commissioner

Sharon D. Dillon, Commissioner

ATTEST:

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