

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
TUESDAY, NOVEMBER 25, 2008**

The Skagit County Board of Commissioners met in regular session on Tuesday, November 25, 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 8:02 a.m.

II. PLEDGE OF ALLEGIANCE:

Chairman Munks led the gallery in the pledge to the flag.

III. AGENDA:

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

B. 8:30 a.m. - 9:30 a.m. Planning & Development Services - Gary Christensen, Director

1. Presentation/Discussion/Possible Action - Proposed Shoreline Area Designation Map Amendment for Young Island (PL07-0569) at the Request of Robert and Patricia Glein and Margaret Schultz, Trustee for the Schultz Family Trust

Senior Planner Betsy Stevenson stated this is a non-project legislative action to amend the Shoreline Area Designation Map by changing the shoreline designation of Young Island from Natural to Conservancy (PL07-0569) at the request of Robert and Patricia Glein and Margaret Schultz, trustee for the Schultz Family Trust Conservancy. Ms. Stevenson stated documents for the Commissioners' signature will be provided at a later date.

A motion was made by Commissioner Dahlstedt to approve the proposed non-project legislative action to amend the Shoreline Area Designation Map by changing the shoreline designation of Young Island from Natural to Conservancy (PL07-0569). Commissioner Dillon seconded the motion, which passed unanimously.

2. Presentation - Critical Areas Ordinance Update and Recorded Motion of the Planning Commission. Set Date and Time for Discussion and Possible Action on the Critical Areas Ordinance Update

Ms. Stevenson stated the Critical Areas Ordinance was initiated in February 2006, with the formation of the Citizens Advisory Committee. She went on to say that process was completed in July 2006. Ms. Stevenson noted the draft code was made available for public review on March 7, 2007, and a

postcard was sent to all landowners within Skagit County. She also stated two open houses were held in March, one in Mount Vernon and one in Concrete.

She went on to say a public hearing was held before the Planning Commission on April 10, 2007, and the Planning Commission held 11 study sessions, from January through September 2008.

Carol Ehlers of West Fidalgo Island, and a member of the Planning Commission, spoke about concerns she had with the accuracy of the map that was created related to the aquifer recharge, which involves the low-flow stream issues.

A motion was made by Commissioner Dahlstedt to approve setting Tuesday, December 9, 2008, at 2:00 p.m. for discussion and possible action on the Critical Areas Ordinance Update. Commissioner Dillon seconded the motion, which passed unanimously.

3. Miscellaneous

There were no miscellaneous items for Planning and Development Services to discuss.

Chairman Munks recessed the proceedings at 8:56 a.m.

C. 9:30 a.m. - 10:00 a.m. Public Hearing - Consideration of the Abolishment of and the Distribution of Assets on the Bryson Road Sub-Flood Control Zone

Chairman Munks reconvened the proceedings at 9:30 a.m.

Jeff Miller, Assistant Director, gave a brief PowerPoint presentation detailing the history of the Bryson Road Sub-Flood Control Zone (SFCZ).

Chairman Munks opened the public hearing at 9:42 a.m.

Holly Ross of 55283 Bryson Road in Darrington, asked if people had choices if they did not want to enter the Drainage Utility District. Ms. Ross stated the original property owners should be reimbursed any money that is in the existing SFCZ account.

Devon Smith, Skagit River System Cooperative, stated the Sauk-Suiattle Tribe had a prior meeting today and he is authorized to speak on their behalf. Mr. Smith stated because of the current landownership issue, the Tribe is interested in seeing the SFCZ dissolved. He also stated the Tribe is neutral on the issue of reimbursing the landowners any money that is in the SFCZ account.

Seeing no further testimony forthcoming, Commissioner Dahlstedt moved to close the public hearing at 9:55 a.m. Commissioner Dillon seconded the motion, which passed unanimously.

A motion was made by Commissioner Dahlstedt to approve setting Tuesday, December 16, 2008, at 8:30 a.m. in the Commissioners' Hearing Room, to render a decision regarding the possible abolishment of and the distribution of assets on the Bryson Road Sub-Flood Control Zone. Commissioner Dillon seconded the motion, which passed unanimously.

Chairman Munks recessed the proceedings at 9:57 a.m.

D. 10:00 a.m. - 11:00 a.m. Discussion/Possible Decision - 2005 Growth Management Act Update

Chairman Munks reconvened the proceedings at 10:05 a.m.

Kirk Johnson, Senior Planner, provided a brief overview of the 2005 GMA Update Compliance Issues. Mr. Johnson stated the Planning Commission recommended approval of the 2005 GMA Update Compliance Issues by a vote of 8 to 1. He stated Carol Ehlers was the dissenting vote. He went on to say the Shoreline Map Amendment request was also recommended for approval on a unanimous vote of 9 to 0.

Mr. Johnson stated if the Commissioners were to adopt the Planning Department's recommendations for docketing, an ordinance will be brought forth for their signature on the Consent Agenda at a later date.

A motion was made by Commissioner Dahlstedt to approve the Planning Commission's recorded motion dated October 28, 2008, to amend the Skagit County Comprehensive Plan and Development Regulations to address the five non-compliance issues related to the County's 2005 Growth Management Act Update. Commissioner Dillon seconded the motion, which passed unanimously.

E. 11:00 a.m. - 11:30 a.m. Decision - 2008 Comprehensive Plan Amendment Docket

Mr. Johnson provided an overview of Planning & Development Services' Supplemental Report and the 2008 Comprehensive Plan Amendment (CPAs) Docket Recommendation dated October 14, 2008.

Commissioner Dillon stated she liked the suggestion made during the public hearing that the County expand the review of its Master Planned Resort ordinance to include a review of the ordinances for campgrounds and recreational vehicle parks. She also said the County should look at the development potential for existing campgrounds and RV parks that are operating under historic special use permits.

She went on to say the goal of the review should be to ensure that there is adequate continuity and consistency between the zoning code provisions allowing campgrounds and RV parks in various zones, and the Comprehensive Plan's Small Scale Recreation and Tourism (SRT) and Master Planned Resort designations.

Commissioner Dillon also said this should include whether there should be some additional potential allowed for the expansion of existing campgrounds and RV parks, without redesignation to MPR. She noted the County could look at revising the current definitions for the different types of campgrounds in the existing code, and the appropriate zoning designations for each use. She went on to say possible amendments to the SRT designation and code may also be considered. Commissioner Dillon said she would like to see this review include an evaluation of siting and locational criteria to maintain rural scale and character, and to minimize nuisances and infrastructure impacts of any allowed expansions.

Commissioner Dillon said the result of this review may be to revise some Comprehensive Plan Policies and Development regulations. It should not result in any direct changes to permits or map designations affecting new or existing campgrounds, RV parks or resorts. Those would need to be pursued by individual applicants through applications for development permits, special use permits, or site specific comprehensive plan map amendments.

Commissioner Munks stated he agreed that the County needs to conduct a comprehensive review of our resort ordinances. He said it also seems clear that we need to consider exactly what constitutes a setting of significant natural amenities. He went on to say this question was mentioned several times during the public hearing on November 10.

Commissioner Munks stated the 1000 Trails resort is bounded by I-5, the Skagit Valley Casino, a rest stop, and Friday Creek Road. He indicated the application notes that Skagit Speedway is nearby. He said as Planning points out in its docketing memo that if this type of setting were the standard, a Master Planned Resort could be built almost anywhere in the County.

He went on to say in response, 1000 Trails quoted from a recent Growth Management Hearings Board case that involved a Master Planned Resort near Brinnon, Washington. The Brinnon resort is located on Hood Canal. It has a boat launch. It's about 2 miles from Dosewallips State Park and the Olympic National Forest. It's a short distance further to the Olympic National Park. Nearly all of the routes connecting these locations are themselves scenic. Commissioner Munks said in comparison, the 1000 Trails site is a waypoint for more distant natural sites, and the major local draws, as indicated by their prominence in the 1000 Trails application, are the casino and the speedway. Commissioner Munks indicated he did not think that our code intends that a Master Planned Resort could be located at such distances from significant natural sites. Or that manmade attractions should overshadow any natural ones. He said he agrees with Planning's recommendation to review our resort ordinances and think it would be best to defer docketing of any further Master Planned Resorts until that review is complete.

Commissioner Dahlstedt stated the 1000 Trails MPR application certainly raised a lot of public attention. He indicated he was mindful that public attention isn't a controlling factor in the decision to docket a proposal. However, the Planning Department gave several valid reasons for not

doing so. One of those is whether the proposal can be reasonably reviewed within the Department's staffing and operational budget. The Departments' Long-term Work Program memo of October 10, 2008, identifies a lengthy list of projects. The 2008 Comprehensive Plan Amendment docket is just one of several significant projects that our Planning Department has to address this year. Unfortunately, the work on all of these projects may be affected by budget issues. It is too early to tell.

He went on to say he feels it would serve the County's interests if we ensured that all proposals placed on the docket met the filing requirements. Commissioner Dahlstedt recognizes that in past years the County has accepted proposals with the idea that they could be modified and adapted through the review process. 1000 Trails appears to have submitted their proposal with that thought in mind. However, as the Department states, the 1000 Trails proposal is not complete. The application for a Master Planned Report is required to include some fairly detailed descriptions. Instead of providing the necessary details in the current application, 1000 Trails either omits them or makes reference to materials submitted for an earlier application. It is not the Department's obligation to dig through its files for application documents that should have been included in the current application.

Commissioner Dahlstedt noted the problem that this causes is highlighted by 1000 Trails' assertion during the November 10, public hearing that it has dropped its plans to include condominiums and residences in the project. He said the "concept" drawing included in the 1000 Trails application provides for 50-80 townhouses and condominiums.

He also stated 1000 Trails is proposing a significant project. Because its application is incomplete - and there would need to be considerable negotiation before the detailed application requirements are met -- this proposal is going to be a drain on the Department's resources. It would be better to review this project after a complete application has been submitted.

A motion was made by Commissioner Dahlstedt to adopt the Planning Department's recommendations for docketing set forth in its October 14th Supplemental 2008 Docketing Memo with the addition of an expanded scope for the review of the Master Planned Resort (MPR) policy/code amendments in the 2008 docket. The scope of that review should be expanded to include a comprehensive review of the County's campground and resort policies and ordinances. Commissioner Dillon seconded the motion, which passed unanimously.

Mr. Johnson stated a resolution establishing the 2008 Docketing Decision will follow at a later date.

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

Carol Ehlers of West Fidalgo Island in Anacortes provided a copy of the text of 14.24.320. She commented on the November 1992 Skagit County Solid Waste Management Plan Update and Draft EIS's map. Ms. Ehlers stated there was not enough continuity between one plan and another. She went on to comment on a conference she attended Monday, December 15, 2008, regarding the Growth Management Act. Ms. Ehlers also commented on several regulations by CTED that should be proposed.

Glen Veal of the Guemes Island Ferry Committee spoke about the willingness of the Committee to work with Public Works on an agreement, which they could bring forward regarding fares and their thoughts on controlling costs. He stated the Ferry Committee wants to be involved in the management of and operating costs for the ferry. He went on to say the Committee felt they were left out of the process to establish fares.

Steve Orsini of the Guemes Island Ferry Committee stated the Committee never looked at what was being considered for the proposed fare increases.

G. 11:45 a.m. - 12:00 p.m. Presentation by Shell Refinery

Sue Krenin, General Manager of the Shell Puget Sound Refinery, presented the Commissioners with a 50-Year commemorative history Book. John T. Rudder, Shell Human Resources Manager, stated they are very proud of their history on Marchs' Point.

The Commissioners thanked Ms. Krenin and Mr. Rudder for Shell's support of the local community.

Chairman Munks recessed the proceedings at 11:52 a.m.

H. 1:45 p.m. - 2:00 p.m. Decision/Possible Action - Resolution Regarding the Establishment of the 2009 Guemes Island Ferry Fare Structure, and Rescinding Resolution Nos. R20050298, R20050405, R20060338, R20080196, R20080288, and R20080405

Chairman Munks stated there will be a public meeting on Guemes Island on Wednesday, December 10, 2008, at 7:00 p.m. at the Guemes Island Community Center to discuss ferry rates and schedules.

The Commissioners stated the Board would like to have additional time to consider this matter before any decisions are made.

Chairman Munks recessed the proceedings at 1:51 p.m.

G. 2:00 p.m. - 2:30 p.m. Consideration of the Hearing Examiner's Recommendation for Approval of the Following Open Space Applications:

Chairman Munks reconvened the proceedings at 2:00 p.m. Commissioner Dahlstedt' absence was excused for this portion of the proceedings.

Linda White from the Assessor's Office was present and gave a brief summary of each application.

1. Brian and Kristin Isakson for Approximately 14.69 Acres Located Within a Portion of Tract 1 of Gunderson Meadows Survey (Parcel No. P127712) (C/U TR/OS #3-2008)

A motion was made by Commissioner Dillon to approve the Resolution as presented (**Resolution No. R20080520**) Chairman Munks seconded the motion, which passed unanimously. Commissioner Kenneth A. Dahlstedt's absence was excused

2. John C. and Roberta K. Hunter for Approximately 9.20 Acres Located South and Southeast of Prairie Road (A Portion of Parcel P50663) (C/U OS #2-2008)

A motion was made by Commissioner Dillon to approve the Resolution as presented (**R20080521**) Chairman Munks seconded the motion, which passed unanimously. Commissioner Kenneth A. Dahlstedt's absence was excused

3. John C. and Roberta K. Hunter for Approximately 10 Acres Located South and Southeast of Prairie Road (A Portion of Parcel P50663) (C/U TMB #3-2008)

A motion was made by Chairman Munks to approve the Resolution as presented (**Resolution No. R20080522**) which passed unanimously. Commissioner Kenneth A. Dahlstedt's absence was excused

Chairman Munks recessed the proceedings at 2:08 p.m.

- I. 2:30 p.m. - 3:30 p.m. Public Hearing - To Consider the Guemes Island Ferry Departure Schedule Hours of Operation

Chairman Munks reconvened the proceedings at 2:30 p.m.

James Voetberg said this hearing is to seek public input on the hours of operation for the Guemes Island Ferry.

Chairman Munks opened the public hearing at 2:33 p.m.

The following citizens spoke in favor of the extended ferry schedule: John Hopkins of Guemes Island; Carolyn Anderson of Guemes Island; David Wherly of Guemes Island; Tom Lindsey of Guemes Island; Dick Wolf of Guemes Island; Larry Richmond of Anacortes; Sharon Richmond of Anacortes; Elinor Powers of Mount Vernon; Eric Lazor of Guemes Island; and Trish Bradley of Guemes Island.

The following citizens stated they were opposed to the extended ferry schedule: Glean Veal of Guemes Island; Frank Mudge of Guemes Island; Steve Orsini of Guemes Island; Gail Nichols of Guemes Island; Devyon Havens of Guemes Island; Edith Wolden of Guemes Island; Maryann Sholtz of Guemes Island; and Sally Stap of Guemes Island.

Chairman Munks stated the Commissioners' office will accept written public comments on this matter until November 28, 2008, at 4:30 p.m.

Chairman Munks closed the public hearing at 3:29 p.m.

- J. 3:30 p.m. - 4:30 p.m. Proclamation/Celebration in Honor of Skagit County's 125th Anniversary

Chairman Munks reconvened the proceedings at 3:40 p.m.

Dan Royal, Historian for the Skagit County Pioneer Association, encouraged everyone to make use of Skagit County's historical museums.

Commissioner Dahlstedt read a Proclamation declaring November 28, 2008, as Skagit County's 125th birthday.

Commissioner Elect Ron Wesen spoke about his family's heritage in Skagit County.

IV. CONSENT AGENDA:

Commissioner Dillon said departments should be using the ratification resolutions to provide a true and exact explanation as to why contracts are not presented to the Board in a timely manner.

A motion was made by Commissioner Dahlstedt to approve the Consent Agenda items 1 through 30, Ratification Agenda items 30 through 42, warrants vouchers, and miscellaneous items for Tuesday, November 25, 2008. Chairman Munks seconded the motion, which passed unanimously.

a) COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Tuesday, November 18, 2008. **(Approved)**

b) HEALTH DEPARTMENT:

2. County Program Agreement with the Washington State Department of Social and Health Services, which provides for the continuation of the Medicaid Administrative Match program within the Health Department. The program reimburses the County for the Federal portion of existing staff costs to support the administration of the Washington State Medicaid Plan. The agreement shall commence on January 1, 2009, and continue through December 31, 2010. There is no maximum consideration; however, for calendar year 2009, there is an estimated \$150,000 in revenue. **(Contract**

No. C20080646)

c) HUMAN SERVICES:

3. Personal Services Agreement between Chinook Enterprises and Skagit County to provide individualized community inclusion services to adults in Skagit County with developmental disabilities. The contract term is January 1, 2009, through February 28, 2009. Compensation shall not exceed \$10,350. **(Contract No. C20080647)**
4. Personal Services Agreement with Dion L. Menser to provide mental health treatment services to clients participating in the Community Wellness Program. The agreement shall commence on January 1, 2009, and continue through December 31, 2010. Maximum compensation is not to exceed \$10,000. **(Contract No. C20080648)**
5. Interlocal Cooperative Agreement with the Anacortes School District to provide trained facilitators to implement and facilitate one (1) Strengthening Families booster in the community of Anacortes, using the substance abuse prevention risk and protective factor paradigm adopted by DSHS/DASA. Compensation is not to exceed \$2,840. The contract shall begin from the date of execution through June 30, 2009. **(Contract No. C20080649)**
6. Personal Services Agreement with Catholic Community Services to coordinate, facilitate, implement, and evaluate the Substance Abuse and Mental Health Services Administration Center for Substance Abuse Prevention Model Program "Children in the Middle," which is an all-Spanish language prevention program. This agreement shall commence on the date of execution and continue through June 30, 2009. Compensation is not to exceed \$4,860. **(Contract No. C20080650)**
7. Personal Services Agreement with Catholic Community Services to provide mental health treatment services to clients participating in the Community Wellness Program. This agreement commences January 1, 2009, and continues through December 31, 2010. Maximum compensation is not to exceed \$20,000. **(Contract No. C20080651)**
8. Personal Services Agreement with Elizabeth Findley to provide mental health treatment services to clients participating in the Community Wellness Program. This agreement commences January 1, 2009, and continues through December 31, 2010. Maximum compensation is not to exceed \$10,000. **(Contract No. C20080652)**
9. Amendment #1 to Personal Services Agreement C20080260 with The Language Exchange, Inc. which extends the expiration date of their contract to December 31, 2009. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20080215)**
10. Personal Services Agreement with Linda Seales to provide mental health treatment services to clients participating in the Community Wellness Program. This agreement commences January 1, 2009, and continues through December 31, 2010. Maximum compensation is not to exceed

\$10,000. **(Contract No. C20080653)**

11. Personal Services Agreement with Evan B. Freedman to provide mental health treatment services to clients participating in the Community Wellness Program. This agreement commences January 1, 2009, and continues through December 31, 2010. Maximum compensation is not to exceed \$10,000. **(Contract No. C20080654)**
12. Personal Services Agreement with Mary Jo Greenway to provide mental health treatment services to clients participating in the Community Wellness Program. This agreement commences January 1, 2009, and continues through December 31, 2010. Maximum compensation is not to exceed \$10,000. **(Contract No. C20080655)**
13. Personal Services Agreement with Dawn Duncan-Lewis to provide mental health treatment services to clients participating in the Community Wellness Program. This agreement commences from the date of execution and continues through December 31, 2009. Maximum compensation is not to exceed \$10,000. **(Contract No. C20080656)**
14. Personal Services Agreement with Karleen Patrick to provide mental health treatment services to clients participating in the Community Wellness Program. This agreement commences January 1, 2009, and continues through December 31, 2010. Maximum compensation is not to exceed \$10,000. **(Contract No. C20080657)**
15. Amendment #1 to Personal Services Agreement #C20080190 with Mount Baker Planned Parenthood to reimburse for actual, documented costs of providing the FLASH curricula for training K-12 teachers for sexual health training to students with developmental disabilities, parents and their caregivers. The contract amount remains the same at \$3,500. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20080216)**
16. Personal Services Agreement with Anthony J. Vecchione, Jr. to provide mental health treatment services to clients participating in the Community Wellness Program. This agreement commences January 1, 2009, and continues through December 31, 2010. Maximum compensation is not to exceed \$10,000. **(Contract No. C20080658)**
17. Personal Services Agreement with Nanaymie K. Godrey to provide mental health treatment services to clients participating in the Community Wellness Program. This agreement commences January 1, 2009, and continues through December 31, 2010. Maximum compensation is not to exceed \$10,000. **(Contract No. C20080659)**
18. Personal Services Agreement with Mark Backlund, MD to provide mental health treatment services to clients participating in the Community Wellness Program. This agreement commences January 1, 2009, and continues through December 31, 2010. Maximum compensation is not to exceed \$20,000. **(Contract No. C20080660)**

19. Personal Services Agreement with Sharon R. Olson to provide mental health treatment services to clients participating in the Community Wellness Program. This agreement commences January 1, 2009, and continues through December 31, 2009. Maximum compensation is not to exceed \$10,000. **(Contract No. C20080661)**
 20. Interagency Agreement, per Resolution R20060264, between the North Sound Mental Health Administration and Skagit County to provide for mental health administration, development, planning, and special mental health projects in the County. The agreement begins on January 1, 2009, and shall continue through December 31, 2009. Compensation shall not exceed \$64,805. **(Contract No. C20080662)**
 21. Personal Services Agreement with Roksan H. Biktimir, dba COMAS, Inc. to provide mental health treatment services to clients participating in the Community Wellness Program. This agreement commences January 1, 2009, and continues through December 31, 2010. Maximum compensation is not to exceed \$10,000. **(Contract No. C20080663)**
 22. Personal Services Agreement with James H. Follman, dba Follman Agency, to provide mental health treatment services to clients participating in the Community Wellness Program. This agreement commences January 1, 2009, and continues through December 31, 2010. Maximum compensation is not to exceed \$20,000. **(Contract No. C20080664)**
 23. Personal Services Agreement with Sharil L. Follman, dba Follman Agency, to provide mental health treatment services to clients participating in the Community Wellness Program. This agreement commences January 1, 2009, and continues through December 31, 2010. Maximum compensation is not to exceed \$20,000. **(Contract No. C20080665)**
- d) MEDIATION SERVICES:
24. County Program Agreement with the Washington State Department of Social and Health Services, Division of Children and Family Services, to accept referrals from Children's Administration for parenting plans, third party custody arrangements and open adoption mediation. The agreement shall commence on December 1, 2008, and continue through June 30, 2009. Mediation, scheduling and intake hours will be billed at \$120 per hour. **(Contract No. C20080666)**
- e) PARKS & RECREATION:
25. Amendment No. 1 to Agreement No. C20060398 between Skagit County Parks and Recreation and the United States Department of Agriculture, Forest Service - Mt. Baker-Snoqualmie National Forest for work related to the boat launch area at Howard Miller Steelhead Park in Rockport. The amendment updates the administration contact information and extends the expiration date through December 31, 2009. All other terms and conditions shall remain in effect. **(Amendment No. A20080217)**
- f) PLANNING & DEVELOPMENT SERVICES:

26. Resolution dissolving the Citizen Advisory Committee and Technical Advisory Committee for the Fidalgo Island Subarea Plan. **(Resolution No. R20080510)**
27. Resolution adopting an amendment to the Hearing Examiner Rules of Procedure, which adds "Section 1.21 Mediation" to allow parties in a proceeding before the Hearing Examiner to voluntarily, participate in mediation when the Hearing Examiner deems it appropriate. **(Resolution No. R20080511)**
28. Amendment No. 2 to Personal Services Agreement No. C20070158 with Mark Personius, which extends the contract through December 31, 2009, and adds additional compensation in the amount of \$50,000 for a new contract total not to exceed \$150,000. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20080218)**

g) PUBLIC WORKS DEPARTMENT:

29. Interlocal Cooperative Agreement between Skagit County and Concrete School District #11, which provides materials and equipment rental upon request for roadway maintenance activities on a reimbursable basis. The agreement shall commence on January 1, 2009, and continue through December 31, 2013. **(Contract No. C20080667)**

h) RISK MANAGEMENT:

30. Personal Services Agreement with Listen Audiology Services, Inc. to provide hearing tests for County employees. The agreement shall commence on December 15, 2008, and continue through December 31, 2009. Compensation is not to exceed a total of \$4,500. **(Contract No. C20080668)**

V. CONTRACT RATIFICATIONS:

i) BUDGET & FINANCE:

31. Resolution ratifying a Contract between Skagit County and the Washington State Department of Community, Trade and Economic Development (CTED) for the construction of an anaerobic digester. It was necessary for the County to begin the contract process prior to contract execution. **(Resolution No. R20080512)**
32. Contract between Skagit County and the Washington State Department of Community, Trade and Economic Development (CTED) for the construction of an anaerobic digester to produce bio-power and associated co-products and serve the waste management needs of dairy operators, food processors and other organic waste producers in the County. The agreement began on July 1, 2008, and shall continue through June 30, 2009. The Contract amount shall not exceed a total of \$500,000. **(Contract No. C20080669)**

j) HEALTH DEPARTMENT:

33. Resolution ratifying a Personal services Agreement with Kulshan Pediatric Dentistry. **(Resolution No. R20080513)**
34. Personal Services Agreement with Kulshan Pediatric Dentistry, which provides a registered dental hygienist to apply sealants within Skagit County schools for eligible 2nd and 3rd grade children. The contract commenced on September 1, 2008, and shall continue through May 31, 2009. Compensation is not to exceed a total of \$11,200. **(Contract No. C20080670)**
35. Resolution ratifying a Vendor Services Agreement with Medical Teams International for provision of a mobile dental van and driver. **(Resolution No. R20080514)**
36. Vendor Services Agreement with Medical Teams International to provide a mobile dental van with driver/coordinator to be used for the Skagit County School-Based Sealant Program. The agreement commenced on September 1, 2008, and shall continue through August 31, 2009. Compensation is not to exceed a total of \$5,600. **(Contract No. C20080671)**

k) HUMAN SERVICES:

37. Resolution ratifying a Contractual Agreement with Educational Service District #105 for the development, implementation and coordination of the Community Coalition Support Project called Westview Community Service Center in the City of Burlington. An administrative review of the contract terms and conditions, including the indemnification language by the County, delayed the finalization of the agreement. **(Resolution No. R20080515)**
38. Contractual Agreement between Skagit County and Educational Service District #105, which acts as the fiscal agent for the Northwest High Intensity Drug Trafficking Area Federal funding from the Office of National Drug Control Policy. These funds allow for support, development, implementation and coordination of a Westview Community Service Center in the City of Burlington. The agreement became effective January 1, 2008, and shall continue through December 31, 2009. Compensation shall not exceed \$35,000 for 2008. **(Contract No. C20080672)**

l) MEDIATION SERVICES:

39. Resolution ratifying a Personal Services Agreement with Snohomish and Island Counties Dispute Resolution Center. A delay in receiving a certificate of insurance held up the contract routing process. **(Resolution No. R20080516)**
40. Personal Services Agreement with Snohomish and Island Counties Dispute Resolution Center to provide curriculum, training materials and two trainers for Skagit County Mediation Services' 40-hour Professional Mediation Training. The agreement commenced on November 3, 2008, and concluded on November 7, 2008. Total compensation did not exceed \$6,600. **(Contract No. C20080673)**

m) PUBLIC WORKS:

41. Resolution ratifying a Vendor Services Agreement with Northwest Tank and Environmental Services. Necessary testing had to be completed at the same time Washington State Department of Ecology inspections were completed. At that time, the contract had not been completed for the inspections. **(Resolution No. R20080517)**
42. Vendor Services Agreement with Northwest Tank and Environmental Services to provide services/materials to perform compliance testing in accordance with appropriate Federal, State, County and Municipal regulations. The contract commenced on August 25, 2008, and shall continue through August 24, 2009. Compensation is not to exceed \$2,300. **(Contract No. C20080674)**

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) ACH Transfer Request Form and Certification to Xpress Flex from Clearing Fund 696 in the total dollar amount of \$600.50 (Transmittal No. C-139-08); and
 - b) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$84,586.97 (Transmittal No. C-140-08); and
 - c) Warrants numbered 286249 through 286854 from Clearing Fund 696 in the total dollar amount of \$5,688,773.20 (Transmittal No. C-141-08); and
 - d) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$52,351. (Transmittal No. C-142-08); and
 - e) Purchase Card Electronic Payment to JP MORGAN CHASE from Clearing Fund 696 in the total dollar amount of \$49,619.45 (Transmittal No. C-143-08); and
 - f) Warrants numbered 286855 through 286954 from Clearing Fund 696 in the total dollar amount of \$157,145.40 (Transmittal No. C-144-08); and
 - g) Warrants numbered 236037 through 236877 in the total dollar amount of \$1,162,468.63 (Transmittal No. P-44-08).
- 2) Staff brought forth a Resolution authorizing the commencement of litigation against Texaco, Inc., Chevron U.S.A., and/or Shell Oil Company regarding the Model Toxics

Control Act (RCW 70.105D, "MCTA") liability for the former Whitmarsh (a/k/a March Point) Landfill.

A motion was made by Commissioner Dahlstedt to approve a Resolution authorizing the commencement of litigation against Texaco, Inc., Chevron U.S.A., and/or Shell Oil Company regarding the Model Toxics Control Act (RCW 70.105D, "MCTA") liability for the former Whitmarsh (a/k/a March Point) Landfill. (**Resolution No. R20080518**) Commissioner Dillon seconded the motion, which passed unanimously.

- 3) Staff brought forth a Personal Services Agreement with Davis Wright Tremaine, LLP to provide legal counsel, representation, and services relating to the review and/or possible litigation matters related to Puget Sound Energy and the Baker River Dams (Flood Control). The agreement shall commence on January 1, 2009, and continue until December 31, 2009. Compensation is not to exceed a total of \$20,000.

A motion was made by Commissioner Dahlstedt to approve a Personal Services Agreement with Davis Wright Tremaine, LLP to provide legal counsel, representation, and services relating to the review and/or possible litigation matters related to Puget Sound Energy and the Baker River Dams (Flood Control). The agreement shall commence on January 1, 2009, and continue until December 31, 2009. Compensation is not to exceed a total of \$20,000. (**Contract No. C20080675**) Commissioner Dillon seconded the motion, which passed unanimously.

- 4) Staff brought forth a Resolution authorizing a call for a public hearing regarding the 2009 EMS (Emergency Medical Services) Budget. The hearing will be held on Tuesday, December 9, 2008, at 130 p.m.

A motion was made by Commissioner Dahlstedt to approve a Resolution authorizing a call for a public hearing regarding the 2009 EMS (Emergency Medical Services) Budget. The hearing will be held on Tuesday, December 9, 2008, at 130 p.m. (**Resolution No. R20080519**) Commissioner Dillon seconded the motion, which passed unanimously.

VII. ADJOURNMENT:

Chairman Munks adjourned the proceedings at 3:56 p.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