

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, JANUARY 26, 2009**

I. CALL TO ORDER:

Chairman Dahlstedt called the proceedings to order at 1:35 p.m.

II. PLEDGE OF ALLEGIANCE:

Chairman Dahlstedt led the gallery in the flag salute.

III. CONSENT AGENDA FOR MONDAY, JANUARY 26, 2009 (Items 1 - 32):

A motion was made by Commissioner Wesen to approve the Consent Agenda for Monday, January 26, 2009, items 1 through 32, and the Ratification Agenda, items 33 through 49, including vouchers, warrants and miscellaneous items.

Commissioner Dillon seconded the motion, which passed unanimously.

a) COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Tuesday, January 20, 2009. **(Approved)**

b) ASSIGNED COUNSEL:

2. Personal Services Agreement with Michael P. Brodsky, Attorney at Law, to provide legal representation to indigent defendants referred by the Office of Assigned Counsel. These are cases deemed conflict of interest for the Public Defender's Office. The agreement shall commence on February 1, 2009, and continue through December 31, 2010. Compensation is not to exceed a total of \$75,000. **(Contract No. C20090034)**

c) BUDGET & FINANCE:

3. Personal Services Agreement, per ratification Resolution No. R20090004, with the Skagit Valley Tulip Festival for the use of \$10,000 in Tourism Tax Funds for 2009. The agreement commenced on January 1, 2009, and shall continue through December 31, 2009. **(Contract No. C20090035)**
4. Personal Services Agreement, per ratification Resolution No. R20090004, with the Skagit Valley Festival of Family Farms for the use of \$15,000 in Tourism Tax Funds for 2009. The agreement commenced on January 1, 2009, and shall continue through December 31, 2009. **(Contract No. C20090036)**
5. Personal Services Agreement, per ratification Resolution No. R20090004, with the Skagit River Bald Eagle Awareness Team for the use of \$5,000 in Tourism Tax Funds for 2009. The agreement commenced on January 1,

2009, and shall continue through December 31, 2009. **(Contract No. C20090037)**

6. Personal Services Agreement, per ratification Resolution No. R20090004, with the Skagit Conservation Education Alliance for the use of \$10,000 in Tourism Tax Funds for 2009. The agreement commenced on January 1, 2009, and shall continue through December 31, 2009. **(Contract No. C20090038)**
7. Personal Services Agreement, per ratification Resolution No. R20090004, with the Skagit Performing Arts Council for the use of \$2,500 in Tourism Tax Funds for 2009. The agreement commenced on January 1, 2009, and shall continue through December 31, 2009. **(Contract No. C20090039)**
8. Personal Services Agreement, per ratification Resolution No. R20090004, with the Skagit County Historical Museum for the use of \$19,000 in Tourism Tax Funds for 2009. The agreement commenced on January 1, 2009, and shall continue through December 31, 2009. **(Contract No. C20090040)**
9. Personal Services Agreement, per ratification Resolution No. R20090004, with the Northwest Agriculture Business Center for the use of \$5,000 in Tourism Tax Funds for 2009. The agreement commenced on January 1, 2009, and shall continue through December 31, 2009. **(Contract No. C20090041)**

d) FACILITY MANAGEMENT:

10. Personal Services Agreement with Graham-Bunting Associates to provide mitigation monitoring services for the building addition at 1800 Continental Place, Mount Vernon. The agreement shall commence upon the date of signature and continue through December 31, 2011. Compensation shall not exceed a total of \$4,000. **(Contract No. C20090042)**
11. Personal Services Agreement with Howard Consulting LLC to provide on-call advisory consulting services as requested by the Capital Facilities Manager. The agreement shall commence upon the date of signature and continue through December 31, 2009. Compensation is not to exceed a total of \$4,500. **(Contract No. C20090043)**
12. Resolution calling for a public hearing regarding the disposal of Skagit County real property identified by tax parcel numbers P108573 and P43706. The hearing will be held on Tuesday, February 10, 2009, at 9:00 a.m. **(Resolution No. R20090028)**

e) HUMAN SERVICES:

13. Amendment No. 3 to Personal Services Agreement No. C20080036 with the Skagit County Community Action Agency, which adds additional GL Codes, extends the length of the contract through June 30, 2009, revises the Scope of Work and compensation pages to supersede Amendment Nos. 1 and 2. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20090003)**

14. Amendment No. 1 to Interlocal Cooperative Agreement No. C20070526 with the State of Washington, Office of Financial Management, which changes their contact person's name and address. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20090004)**
15. Resolution terminating the appointments of William Getz and Ardys Whipple as County Designated Mental Health Professionals as they are no longer employed with Compass Health Skagit. **(Resolution No. R20090029)**
16. Resolution terminating the appointments of Tim Clark and Jordan Feigal as County Designated Mental Health Professionals as they are no longer employed with Compass Health Skagit. **(Resolution No. R20090030)**
17. Resolution un-appointing Tim Clark and Jordan Feigal as Designated Crisis Responders as they are no longer employed with Compass Health Skagit. **(Resolution No. R20090031)**

f) INFORMATION SERVICES:

18. Purchase Reimbursement Agreement between the Washington State Administrative Office of the Courts and Skagit County Superior Court, which allows for the reimbursement of four new work stations. The agreement shall commence upon the date of execution and continue through February 18, 2009. **(Contract No. C20090044)**
19. Septic Manager Services Agreement with MentalVelocity, Inc. to provide maintenance and support services for the Septic Manager application as well as applications built by the contractor during previous work. The agreement shall commence upon the date of signature and continue through December 31, 2009. Total compensation is not to exceed \$20,000. **(Contract No. C20090045)**

g) MEDIATION SERVICES:

20. Personal Services Agreement with Jean MacGregor to mediate parenting plans and third party custody cases referred by the Washington State Department of Social and Health Services. The agreement commenced on January 13, 2009, and shall continue through June 30, 2009. Compensation is not to exceed a total of \$5,000. **(Contract No. C20090046)**

h) PUBLIC WORKS DEPARTMENT:

21. Resolution awarding bids for the procurement of maintenance materials to multiple vendors for the period beginning April 1, 2009, and ending on March 31, 2010. Purchasing contracts will be implemented for material expected to exceed \$25,000. **(Resolution No. R20090032)**
22. Resolution establishing County Road Projects for the Anacortes Ferry Dock Rehabilitation, the North Fork Bridge TSL Study, the Thomas Creek Bridge

Rehabilitation, Cockreham Island Road at Etach Slough, Bridge Debris Removal, and Pioneer Highway/Fir Island Intersection. These projects are included in the 2009 Annual Construction Program. **(Resolution No. R20090033)**

23. On-Call Emergency Event Vendor Services Agreement with Sawtooth Trucking, Inc. to provide services/products related to chain saws, culvert pipe, debris removal, erosion control, heavy equipment, pipe/various, rock/screenings/riprap, sand and gravel and tree removal/trimming in the event of an emergency. The Agreement shall commence upon the date of official declaration of an emergency by the Board of Skagit County Commissioners and continue for one year. Compensation shall not exceed a total of \$100,000. **(Contract No. C20090047)**
24. On-Call Emergency Event Vendor Services Agreement with North Hill Resources to provide debris removal, erosion control services, heavy equipment services, recycling, resurfacing/street repair/construction, rock/screenings/riprap, sand and gravel, sandbags, tree removal/trimming services, waste hauling services, dump trucks, wood grinder, excavators and loaders in the event of an emergency. The Agreement shall commence upon the date of official declaration of an emergency by the Board of Skagit County Commissioners and continue for one year. Compensation is not to exceed a total of \$100,000. **(Contract No. C20090048)**
25. Vendor Services Agreement with Surety Pest Control, Inc. for the control of rodents at the Skagit County Recycling and Transfer Facility and the Guemes Island Ferry Terminal in Anacortes. The agreement shall commence upon the date of execution and continue for one year. Compensation is not to exceed a total of \$1,900. **(Contract No. C20090049)**
26. On-Call Emergency Event Vendor Services Agreement for with Geiger Engineers to provide engineering and/or inspection work for the County in the event of an emergency. The agreement shall commence upon the declaration of an emergency by the Skagit County Board of Commissioners and continue for one year. Total compensation is not to exceed \$100,000. **(Contract No. C20090050)**
27. Agreed Order No. DE-08TCPHQ-5999 between Skagit County and the Washington Department of Ecology for the Remedial Investigation/Feasibility Study and Draft Cleanup Action Plan for the March Point (Whitmarsh) Landfill Site located at 9663 March Point Road in Anacortes, Washington. The agreement shall commence upon the date of signature and continue until the work complete. **(Contract No. C20090051)**
28. Personal Services Agreement with Otak, Inc. for engineering and technical expertise in the review and refinement of existing County Code associated with the requirements of the National Pollutant Discharge Elimination System Phase II Permit. The contract shall commence upon the date of execution and continue through December 31, 2010. Compensation is not to exceed a total of \$75,000. **(Contract No. C20090052)**

29. On-Call Emergency Event Vendor Services Agreement with Everett Construction, Inc. to provide services/products related to bridge construction, debris removal, electrical and utility contractors, erosion control, heavy equipment, pipeline repair, rock/screenings, riprap, sand and gravel, tree removal/trimming and waste hauling. The contract is to be executed upon official declaration of an emergency by the Skagit County Commissioners and continue for one year. Compensation is not to exceed a total of \$100,000. **(Contract No. C20090053)**
30. On-Call Emergency Event Vendor Services Agreement with Sunrise Material Placing, Inc. to provide services/products related to sand and gravel. The contract is to be executed upon official declaration of an emergency by the Skagit County Commissioners and continue for one year. Compensation is not to exceed a total of \$100,000. **(Contract No. C20090054)**
31. Interlocal Cooperative Agreement between Skagit County and Drainage District #15 to perform work and provide materials and equipment rental upon request for roadway maintenance activities on a reimbursable basis for the District. The agreement shall commence upon the date of execution and continue through December 31, 2013. **(Contract No. C20090055)**
32. Vendor Services Agreement with Tire Disposal and Recycling, Inc. for processing recyclable rubber products collected at various Skagit County Solid Waste sites. The agreement shall commence upon the date of execution and continue for one year. Compensation is not to exceed a total of \$15,000. **(Contract No. C20090056)**

IV. RATIFICATION AGENDA FOR MONDAY, JANUARY 26, 2009 (Items 33 - 49):

i) CORONER'S OFFICE:

33. Resolution ratifying a Personal Services Agreement with Dr. Sigmund Menchel to provide services for forensic autopsies. The contract was not received prior to the commencement of the agreement. **(Resolution No. R20090034)**
34. Personal Services Agreement with Dr. Sigmund Menchel to provide services for forensic autopsies. The agreement commenced on January 1, 2009, and shall continue through December 31, 2009. Compensation is not to exceed a total of \$100,000. **(Contract No. C20090057)**
35. Resolution ratifying a Personal Services Agreement with Dr. Daniel Selove to provide services for forensic autopsies. The contract was not received prior to the commencement of the agreement. **(Resolution No. R20090035)**
36. Personal Services Agreement with Dr. Daniel Selove to provide services for forensic autopsies. The agreement commenced on January 1, 2009, and shall continue through December 31, 2009. Compensation is not to exceed a total of \$100,000. **(Contract No. C20090058)**

j) HUMAN SERVICES:

37. Resolution authorizing the ratification of a Personal Services Agreement with Dion Menser to continue to provide mental health services to clients of Phoenix Recovery Services who are participating in the Family Treatment Court Program. Review of the contract terms and scope of work delayed finalization of the agreement and the Department did not want to deny services. **(Resolution No. R20090036)**
38. Personal Services Agreement with Dion Menser to provide mental health treatment services to clients of Phoenix Recovery Services who are participating in the Family Treatment Court Program. This agreement commenced on January 1, 2009, and shall continue through December 31, 2009. Compensation shall not exceed a total of \$29,120. **(Contract No. C20090059)**

k) PROSECUTING ATTORNEY:

39. Resolution ratifying a Personal Services with GordonDerr LLP to provide legal services. A signed contract was not received prior to the commencement of the contract on January 1, 2009. **(Resolution No. R20090037)**
40. Personal Services Agreement with GordonDerr LLP to provide legal services in connection with the Growth Management Act and other land use and environmental issues. The agreement commenced on January 1, 2009, and shall continue through December 31, 2009. Compensation shall not exceed a total of \$80,000. **(Contract No. C20090060)**
41. Personal Services Agreement with Dr. Sigmund Menchel to provide expert witness services to the Skagit County Prosecutor's Office in connection with the State v. Ugalde Case No. 08-1-00537-1. The agreement commenced on January 1, 2009, and shall continue through March 31, 2009. Compensation is not to exceed a total of \$2,000. **(Contract No. C20090061)**

l) PUBLIC WORKS DEPARTMENT:

42. Resolution ratifying an amendment with Skagit Soils, Inc., whose Vendor Services Agreement No. C20060551 expired on December 31, 2008, before it could be amended. This is necessary in order to pay outstanding invoices for 2008. **(Resolution No. R20090038)**
43. Amendment No. 1 to Vendor Services Agreement No. C20060551 with Skagit Soils, Inc., which provides an additional \$2,500 in compensation to pay outstanding invoices. This brings the contract total to \$13,500. The contract expired on December 31, 2008. **(Amendment No. A20090005)**

m) SENIOR SERVICES:

44. Vendor Services Agreement with Aramark Uniform Services to provide terry towels, grocery aprons and paper towel services to the Senior Services Nutrition Program. The agreement commenced on January 1, 2009, and

shall continue through December 31, 2009. Compensation is not to exceed a total of \$2,944. **(Contract No. C20090062)**

45. Contract between the Skagit County Senior Services Nutrition Program and the Northwest Regional Council Area Agency on Aging to provide nutritionally balanced congregate and home-delivered meals to seniors age 60 years of age and older in Skagit County. The agreement commenced on January 1, 2009, and shall continue through December 31, 2009. Compensation is not to exceed a total of \$224,868. **(Contract No. C20090063)**

n) SHERIFF'S OFFICE:

46. Resolution ratifying an Interlocal Cooperative Agreement and Amendment Nos. 1 and 2 between Skagit County and the Washington State Parks and Recreation Commission, which allows participation in the Boating Safety Program. The Interlocal Agreement was received and signed by the Skagit County Sheriff on April 2, 1998. Amendment No. 1 was signed by the Sheriff on September 4, 2007 and Amendment No. 2 was signed on November 13, 2008. **(Resolution No. R20090039)**
47. Interlocal Cooperative Agreement and Amendment Nos. 1 and 2 between Skagit County and the Washington State Parks and Recreation Commission, which allows participation in the Boating Safety Program. The agreement commenced on April 6, 1998, and shall continue through June 30, 2009. Compensation is not to exceed a total of \$35,183. **(Contract No. C20090064)**

o) YOUTH & FAMILY SERVICES:

48. Resolution ratifying a Personal Services Agreement with Skagit Recovery Center. A signed contract was not received in time to fully execute the contract prior to January 1, 2009. **(Resolution No. R20090040)**
49. Personal Services Agreement with Skagit Recovery Center to provide project activities, treatment services, including an Outpatient Program, an Intensive Outpatient Program, a Family Program and treatment options such as Alcohol and Drug Information School. The agreement commenced on January 1, 2009, and shall continue through December 31, 2010. Compensation shall not exceed a total of \$20,000 during the duration of the Contract. **(Contract No. C20090065)**

V. 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 290042 through 290515 from Clearing Fund 696 in the total dollar amount of \$2,807,453.37 (Transmittal No. C-09-09); and

- b) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$104,022.70 (Transmittal No. C-10-09); and
 - c) Warrants numbered 290516 through 290657 from Clearing Fund 696 in the total dollar amount of \$428,284.10 (Transmittal No. C-11-09); and
 - d) Purchase Card Electronic Payment to JP MORGAN CHASE from Clearing Fund 696 in the total dollar amount of \$28,987.13 (Transmittal No. C-12-09); and
 - e) Payroll warrants numbered 239341 through 240160 in the total dollar amount of \$1,242,014.05 (Transmittal No. P-03-09); and
 - f) Payroll warrants numbered 982313 through 982517 in the total dollar amount of \$279,846.80 (Transmittal No. P-04-09).
- 2) Chief Prosecuting Attorney Will Honea brought forth a Settlement Agreement between Skagit County and Sanfi Acres LLC, which will become effective upon the date of execution.

A motion was made by Commissioner Dillon to approve the Settlement Agreement as presented. **(Contract No. C20090066)** Commissioner Wesen seconded the motion, which passed unanimously.

VI. ADJOURNMENT:

Chairman Dahlstedt adjourned the proceedings at 1:40 p.m.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Kenneth A. Dahlstedt, Chairman

Sharon D. Dillon, Commissioner

Ron Wesen, Commissioner

ATTEST:

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