

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, FEBRUARY 2, 2009**

The Skagit County Commissioners met in regular session on Monday, February 2, 2009, with Commissioners Kenneth A. Dahlstedt, Sharon D. Dillon and Ron Wesen present.

I. CALL TO ORDER:

Chairman Dahlstedt called the proceedings to order at 1:37 p.m.

II. PLEDGE OF ALLEGIANCE:

Chairman Dahlstedt led the gallery in the flag salute.

III. AGENDA:

- A. 8:00 a.m. - 9:00 a.m. Briefing - County Commissioners/Administrator
- B. 1:30 p.m. - 2:00 p.m. Consent Agenda and Miscellaneous Items
- C. 2:00 p.m. - 4:00 p.m. Executive Session - Potential Litigation

IV. CONSENT AGENDA:

A motion was made by Commissioner Wesen to approve to approve the Consent Agenda, items 1 through 21, Ratification Agenda items 22 through 31, vouchers, warrants and miscellaneous items as presented for Monday, February 2, 2009. Commissioner Dillon seconded the motion, which passed unanimously.

a) COMMISSIONERS' OFFICE:

- 1. Record of the Proceedings for Monday, January 26, 2009. **(Approved)**
- 2. Record of the Proceedings for Tuesday, January 27, 2009. **(Approved)**
- 3. Resolution amending Resolution No. R20080524, which appointed Dorothy J. Anthony to the Upper Skagit Library District Board of Trustees. The amendment changes the ending term date to December 31, 2013, from December 31, 2014. **(Resolution No. R20090042)**
- 4. Resolution replacing Climate Action and Sustainability Taskforce member John (Jack) de Yonge who resigned, with Teresa Hansen through the end of 2009. **(Resolution No. R20090043)**

b) ADMINISTRATIVE SERVICES:

- 5. Personal Services Agreement with Robert Weidner, who serves as the

Washington, D.C. government relations advisor to Skagit County and other counties of the Rural Lands County Council. The contract shall commence upon the date of execution and continue through December 31, 2009. Compensation is not to exceed a total of \$7,500. **(Contract No. C20090070)**

c) ASSIGNED COUNSEL:

6. Personal Services Agreement with Jason H. Powers, 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 commenced on February 1, 2009, and shall continue through December 31, 2010. Compensation is not to exceed a total of \$75,000. **(Contract No. C20090071)**
7. Personal Services Agreement with Ron Costeck, 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 commenced on February 1, 2009, and shall continue through December 31, 2010. Compensation is not to exceed a total of \$75,000. **(Contract No. C20090072)**

d) BUDGET & FINANCE:

8. Personal Services Agreement, per Ratification Resolution No. R20090004, with the Skagit County Lodging & Tourism Cooperative for the use of Tourism Tax Funds in the amount of \$25,000 for 2009. **(Contract No. C20090073)**

e) CONSERVATION FUTURES:

9. Resolution re-appointing Fred Loffer, Tim Raschko, Aubrey Stargell and Dick Whitmore to the Forest Advisory Board for a three year term, expiring on December 31, 2011. **(Resolution No. R20090044)**

f) FACILITY MANAGEMENT:

10. Standard Form of Agreement with Dimock Construction LLC for roof repairs at 700 South 2nd Street - Mount Vernon, 2221 Riverside Drive - Mount Vernon, and 250 West Moore Street - Sedro-Woolley, for the low bid amount of \$28,721.89 (plus applicable sales tax). **(Contract No. C20090074)**

g) HEALTH DEPARTMENT:

11. Amendment No. 13 to Consolidated Contract No. C20070142 with the Washington State Department of Health, which adds an additional \$448,121 in funding for various public health programs. The amendment brings the total contract amount to \$2,564,555. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20090006)**

h) PARKS & RECREATION:

12. Rafting Contract with Eco Orca Limited, which allows the contractor to launch and exit commercial float trips on the Skagit River from Howard Miller Steelhead Park. The agreement shall commence upon the date of execution and continue through November 30, 2009. A non-refundable permit fee of \$150 shall be paid by the contractor. **(Contract No. C20090075)**
- i) PROSECUTING ATTORNEY:
13. Quit Claim Deeds and Excise Tax Affidavits from Skagit County to Thomas P. Lacroix and Cathy J. Lacroix to quiet title for a public right-of-way. No monetary value is being exchanged. **(Contract Nos. C20090076 and C20090077)**
- j) PUBLIC WORKS DEPARTMENT:
14. Resolution writing off uncollectible and bad debts. **(Resolution No. R20090045)**
 15. Vendor Services Agreement for on-call emergency events with Bobby Wolford Trucking and Demolition, Inc. to provide services related to debris removal, heavy equipment, recycling, sand and gravel, tree removal/trimming and waste hauling. The contract shall be executed upon official declaration of an emergency by the Board of Skagit County Commissioners and continue for one year. Total compensation is not to exceed \$100,000. **(Contract No. C20090078)**
 16. Vendor Services Agreement for on-call emergency events with Jansma Construction, Inc. to provide services related to culvert pipe, debris removal, erosion control, fencing/rental, heavy equipment, pipeline repair, resurfacing/street repair/construction, sewer/water supply materials, tree removal/trimming and water monitoring. The contract shall be executed upon official declaration of an emergency by the Board of Skagit County Commissioners and continue for one year. Total compensation is not to exceed \$100,000. **(Contract No. C20090079)**
 17. Vendor Services Agreement for on-call emergency events with Lawn Salon Landscaping Services, LLC to provide services and products related to debris removal. The contract shall be executed upon official declaration of an emergency by the Board of Skagit County Commissioners and continue for one year. Total compensation is not to exceed \$100,000. **(Contract No. C20090080)**
 18. Vendor Services Agreement with Diesel Services, Inc. to provide mechanical repairs for the Guemes Island Ferry engines as needed on an on-call basis. The agreement shall commence upon the date of execution and continue for one year. Compensation is not to exceed a total of \$9,500. **(Contract No. C20090081)**
- k) RISK MANAGEMENT:

19. Personal Services Agreement with Evergreen Safety Council, which will provide a qualified instructor and materials necessary for various safety trainings as requested by the Risk Management Department. The agreement commenced on February 1, 2009, and shall continue through December 31, 2009. Compensation is not to exceed a total of \$10,000. **(Contract No. C20090082)**

l) SENIOR SERVICES:

20. Amendment No. 2 to Contract No. C20080073 with Northwest Regional Council to provide congregate and home-delivered meals to seniors in Skagit County, which increases the total compensation by an additional \$19,340. All other terms and conditions of the original contract, including Amendment No. 1, shall remain in effect. **(Amendment No. A20090007)**

m) SHERIFF'S OFFICE:

21. Resolution authorizing the transfer of obsolete surplus portable radios to the Washington State Patrol Academy. **(Resolution No. R20090046)**

V. RATIFICATION CONTRACTS AND RESOLUTIONS - ITEMS 22 - 31:

n) HEALTH DEPARTMENT:

22. Resolution ratifying an Interlocal Cooperative Agreement between Skagit County and the National Association of County and City Health Officials, #MRC 091027. The County was awarded a capacity building grant on December 31, 2008; however, a document for execution was not received until January 12, 2009. **(Resolution No. R20090047)**

23. Interlocal Cooperative Agreement between Skagit County and the National Association of County and City Health Officials, #MRC 091027, which provides \$5,000 in funding for continuation of the Medical Reserve Corp Program. The contract commenced on January 1, 2009, and shall continue through July 31, 2009. **(Contract No. C20090083)**

o) HUMAN SERVICES:

24. Resolution ratifying a Personal Services Agreement with Catholic Community Services. Review of the contract terms and scope of work delayed the Personal Services Agreement; however, the Department did not want to delay or deny services to eligible individuals detained at the Juvenile Detention Facility. **(Resolution No. R20090048)**

25. Personal Services Agreement with Catholic Community Services to provide a Chemical Dependency Professional or Trainee for chemical dependency screening, education, counseling and referral services to juveniles in Skagit County's Juvenile Detention Facility. The agreement commenced on January 1, 2009, and shall continue through December 31, 2009. Total compensation is not to exceed \$42,000. **(Contract No. C20090084)**

p) PROSECUTING ATTORNEY:

26. Resolution ratifying a Personal Services Agreement with Joe Mentor and Mentor Law Group to provide services in connection with Water Rights Litigation and Regulation. A signed contract was not received prior to commencement of the agreement. **(Resolution No. R20090049)**
27. Personal Services Agreement with Joe Mentor and Mentor Law Group to provide legal counsel, representation and services related to the review and/or possible litigation matter described as Water Rights Litigation and Regulation. The agreement commenced on January 1, 2009, and shall continue through December 31, 2009. Compensation is not to exceed a total of \$40,000. **(Contract No. C20090085)**

q) SENIOR SERVICES:

28. Resolution ratifying an Interlocal Cooperative Agreement between Skagit County and the Town of Concrete, which was drafted in August 2008; however, review of the agreement provisions delayed it's finalization. **(Resolution No. R20090050)**
29. Interlocal Cooperative Agreement between Skagit County and the Town of Concrete, which allows Skagit County Senior Services to provide staff, equipment and materials for the delivery of community-based services to senior citizens of Concrete. The agreement commenced on January 1, 2009, and shall continue through December 31, 2009. Compensation is not to exceed a total of \$7,639. **(C20090086)**

r) SHERIFF'S DEPARTMENT:

30. Resolution ratifying an Agreement between Skagit County and the Washington Association of Sheriff's and Police Chiefs (WASPC). The agreement was only recently received by WASPC and, therefore, the delay. **(Resolution No. R20090051)**
31. Agreement between Skagit County and the Washington Association of Sheriff's and Police Chief's (WASPC), which allows for participation in a U. S. Department - Office of Community Oriented Policing Services Methamphetamine Initiative Grant in the amount of \$18,804.30. The agreement commenced on September 1, 2007, and shall continue through August 31, 2009. **(Contract No. C20090087)**

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 Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$7,581.46 (Transmittal No. C-13-09)
- b) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$8,646.30 (Transmittal No. C-14-09); and
- c) ACH Transfer Request Form and Certification to Express Flex from Clearing Fund 696 in the total dollar amount of \$423.50 (Transmittal No. C-15-09); and
- d) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$57,571.68 (Transmittal No. C-16-09); and
- e) Ach Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$59,324.76 (Transmittal No. C-17-09); and
- f) Warrants numbered 290658 through 291160 from Clearing Fund 696 in the total dollar amount of \$1,298,487.98 (Transmittal No. C-18-09).

2) Chief Civil Prosecuting Attorney Will Honea brought forth a resolution remanding Comprehensive Plan Amendment Application No. CPA 05-14 to the Skagit County Planning Commission for further consideration and recommendation pursuant to terms of the Settlement Agreement between Skagit County and Sanfi Acres LLC.

A motion was made by Commissioner Dillon to approve a resolution remanding Comprehensive Plan Amendment Application No. CPA 05-14 to the Skagit County Planning Commission for further consideration and recommendation pursuant to terms of the Settlement Agreement between Skagit County and Sanfi Acres LLC. **(Resolution No. R20090052)** Commissioner Wesen seconded the motion, which passed unanimously.

VII. ADJOURNMENT:

Chairman Dahlstedt stated the Board would be going into executive session at 2:00 p.m. to discuss potential litigation items and adjourned the proceedings at 1:43 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**