

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, MARCH 23, 2009**

I. CALL TO ORDER:

Chairman Dahlstedt called the proceedings to order at 1:35 p.m. He announced that Commissioner Sharon Dillon's absence was excused as she is on vacation this week.

II. PLEDGE OF ALLEGIANCE:

Chairman Dahlstedt led the gallery in the flag salute.

III. AGENDA:

*8:00 a.m. - 11:00 a.m. Briefing - County Commissioners/Administrator

*2:00 p.m. - 4:00 p.m. Executive Session - Potential Litigation

1:30 p.m. - 2:00 p.m. Consent Agenda and Miscellaneous Items

IV. CONSENT AGENDA FOR MONDAY, MARCH 23, 2009, ITEMS 1 THROUGH 26:

Commissioner Wesen motioned to approve the Consent Agenda, items 1 through 15, 17 through 26, Ratification agenda items 27 through 43, vouchers, warrants and miscellaneous items as presented for Monday, March 23, 2009. Item 16 was removed pending further review.

a) COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Monday, March 16, 2009. **(Approved)**
2. Record of the Proceedings for Tuesday, March 17, 2009. **(Approved)**

b) BUDGET & FINANCE:

3. Resolution authorizing a call for public hearing to amend the 2008 budget. The hearing will take place on Tuesday, April 7, 2009, at 9:00 a.m. **(Resolution No. R20090137)**

c) EMERGENCY MANAGEMENT:

4. Resolution adopting the Skagit County Natural Hazards Mitigation Plan as the official Natural Hazards Mitigation Plan for Skagit County. **(Resolution No. R20090138)**

d) FACILITY MANAGEMENT:

5. Vendor Services Agreement with Simon Home Services for building a small canopy and sidewall construction to protect the exterior door from wind and

weather for the Mount Vernon Senior Center. The agreement shall commence upon the date of signature and continue until the project is accepted. Compensation shall not exceed a total of \$4,335 (plus applicable sales tax). **(Contract No. C20090201)**

e) GEOGRAPHIC INFORMATION SERVICES:

6. Interlocal Cooperative Agreement between Skagit County and Skagit Fisheries Enhancement Group to establish a cost sharing partnership for Pictometry aerial imagery and software. The agreement shall commence upon the date of signature and continue for two years. **(Contract No. C20090202)**
7. Interlocal Cooperative Agreement, per Resolution No. R20050377, between Skagit County and Fire District #2 - McLean Road Fire Department, to provide geographic services to create/update Fire District #2 map books. The agreement shall commence upon the date of signature and continue until terminated by either party. **(Contract No. C20090203)**

f) HEALTH DEPARTMENT:

8. Amendment No. 14 to the Washington State Department of Health Consolidated Contract No. C20070142, which increases compensation for the Adult Viral Hepatitis Prevention program and the Drinking Water Group A program by \$18,750, for a new contract total not to exceed \$2,583,305. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20090030)**

g) HUMAN SERVICES:

9. Amendment No. 4 to County Program Agreement No. C20070464 between Skagit County and the State of Washington Department of Social and Health Services - Division of Alcohol and Substance Abuse, which decreases the contract amount by \$4,905 due to State budget cuts. All other terms and conditions of the original contract, including amendments, shall remain in effect. **(Amendment No. A20090031)**

h) PROSECUTING ATTORNEY:

10. Amendment No. 1 to County Program Agreement No. C20080628 with the Washington State Department of Social and Health Services, Division of Alcohol and Substance Abuse., which provides services for commitment proceedings for 14-day civil commitments at the North Cascade Secure Detoxification Facility. Additional funding in the amount of \$23,000 is added for a new contract total not to exceed \$250,428. All other terms and conditions of the original agreement shall remain in effect. **(Amendment No. A20090032)**

i) PUBLIC WORKS DEPARTMENT:

11. Resolution calling for a public hearing to consider vacating a portion of a

County right-of-way known as Concrete-Sauk Valley Road near Concrete as requested by George Theodoratus. The hearing will take place on Tuesday, April 21, 2009, at 8:00 a.m. **(Resolution No. R20090139)**

12. Resolution calling for bids for one (1) new four axle dump truck. This truck will replace a 1986 dump truck in the road operations division fleet and is included in the 2009 ER & R budget. The bid opening will be held on Monday, April 13, 2009, at 2:00 p.m. **(Resolution No. R20090140)**
13. Resolution calling for bids for one (1) new 5th wheel truck. This truck will replace a 1995 5th wheel truck in the transfer station division fleet and is included in the 2009 ER&R budget. The bid opening will be held on Monday, April 13, 2009, at 2:15 p.m. **(Resolution No. R20090141)**
14. Resolution awarding a bid to Modern Machinery Company, Inc. for one (1) new tandem roller with oscillation and vibration at a total cost of \$122,904. **(Resolution No. R20090142)**
15. Resolution adopting a committee description and rules of procedure for the Skagit River Flow Management Committee, which was created by the Memorandum of Agreement regarding utilization of Skagit River basin water resources for instream and out-of-stream purposes. **(Resolution No. R20090143)**
16. Resolution calling for bids for one (1) new highway sander with pre-wetting capabilities. This sander will be new to the District 2 road operations fleet and is included in the 2009 Road Operations budget. The bid opening will be held on Monday, April 20, 2009, at 2:15 p.m. **(This item was removed from the Agenda)**
17. Vendor Services Agreement with Birch Equipment Rental to provide equipment rental for various projects with expected annual expenditures to exceed \$25,000. The agreement shall commence on April 1, 2009, and continue through March 31, 2010. Compensation is not to exceed a total of \$100,000. **(Contract No. R20090204)**
18. Resolution authorizing the distribution of remaining assets in the abolished south Mount Vernon Sub-Flood Control Zone #134 to the Drainage Utility Fund. **(Resolution No. R20090144)**
19. Interlocal Cooperative Agreement between Skagit County and the City of Mount Vernon to provide funds in an amount not to exceed \$63,438.23 from the abolished south Mount Vernon Sub-Flood Control Zone to the City to be used for flood control and related storm water and drainage purposes. The agreement shall commence upon the date of execution and continue through December 31, 2010. **(Contract No. C20090205)**
20. Vendor Services Agreement with NW Cascade, Inc., dba Honey Bucket, to furnish portable toilet units at locations throughout Skagit County and perform all maintenance services as requested on a weekly basis. The agreement shall commence on May 1, 2009, and continue through April 30, 2010. Compensation is not to exceed a total \$9,000. **(Contract No.**

C20090206)

21. On-call emergency event Vendor Services Agreement with Birch Equipment Company, Inc. to provide services/products related to barricades/portable, chain saws, generators/stationary type, generators/portable, heavy equipment, industrial (rakes, shovels), portable heaters, portable lighting systems, pumps, scaffolding, signage, temporary facilities (housing, restrooms, offices, furniture), and tent canopy delivery and setup. The agreement shall be executed upon official declaration of an emergency by the Board of County Commissioners and continue for one year. Maximum compensation is not to exceed a total of \$100,000. **(Contract No. C20090207)**
22. Amendment No. 2 to Vendor Services Agreement No. C20080275 with Pacific Star Marine, which extends the expiration date to July 22, 2009. This will allow the contractor sufficient time to remove the upper gear box on the Guemes Ferry outdrive and replace it with the upper gear box that has been rebuilt. Installation will take place during haul-out of the ferry. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20090033)**

j) SHERIFF:

23. Interlocal Agreement for mutual police aid and cooperation between Skagit County and the Cities of Anacortes, Burlington, Mount Vernon, and Sedro-Woolley. In the interests of public welfare, it is necessary that local jurisdictions should voluntarily aid and assist each other regarding the provision of police protection. The agreement shall commence upon the date of signature and automatically renew from year to year unless otherwise modified or terminated. **Contract No. C20090208)**

k) YOUTH & FAMILY SERVICES:

24. Personal Services Agreement with Inslee & Maxwell Associates to provide specialized juvenile offender, adolescent, adult and/or family assessments, evaluations, treatment consultations, education classes and other services as requested by the County. The agreement shall commence on May 1, 2009, and continue through April 30, 2011. Compensation is not to exceed a total of \$40,000. **(Contract No. C20090209)**
25. Interlocal Cooperative Agreement between Skagit County and United General Hospital to provide a meeting space at the Hospital for contracted mental health professionals to meet with clients. The agreement shall commence on April 1, 2009, and continue through March 31, 2011. This agreement does not include reimbursement from either party. **(Contract No. C20090210)**
26. Personal Services Agreement with The Cambie Group International, Inc. to provide an evaluation of the ARIS program. The agreement shall commence on March 31, 2009, and continue through December 31, 2009. Compensation is not to exceed a total of \$4,000. **(Contract No. C20090211)**

V. CONTRACT RATIFICATIONS, ITEMS 27 THROUGH 43:

l) CORONER'S OFFICE:

27. Resolution ratifying a Vendor Services Agreement with Hulbush Funeral Home and Cremation Services, Inc. A signed agreement was not received prior to commencement of services. **(Resolution No. R20090145)**
28. Vendor Services Agreement with Hulbush Funeral Home and Cremation Services, Inc. to provide various autopsy services. The agreement commenced on January 1, 2009, and shall continue through December 31, 2009. Compensation is dependant on the services being rendered. **(Contract No. C20090212)**
29. Resolution ratifying a Vendor Services Agreement with Mount Vernon Cemetery, Inc., dba Kern Funeral Home. A signed agreement was not received prior to commencement of services. **(Resolution No. R20090146)**
30. Vendor Services Agreement with Mount Vernon Cemetery, Inc., dba Kern Funeral Home to provide various autopsy services. The agreement commenced on January 1, 2009, and shall continue through December 31, 2009. Compensation is dependant on the services being rendered. **(Contract No. C20090213)**
31. Resolution ratifying a Vendor Services Agreement with Affordable Burial and Cremation Services, LLC. A signed agreement was not received prior to commencement of services. **(Resolution No. R20090147)**
32. Vendor Services Agreement with Affordable Burial and Cremation Services, LLC to provide various autopsy services. The agreement commenced on January 1, 2009, and shall continue through December 31, 2009. Compensation is dependant on the services being rendered. **(Contract No. C20090214)**

m) HEALTH DEPARTMENT:

33. Resolution ratifying a Personal Services Agreement with Cecilia Meintel to provide maternity support and infant case management services. A signed agreement was not received prior to commencement of services. **(Resolution No. R20090148)**
34. Personal Services Agreement with Cecilia Meintel to provide maternity support and infant case management services. The agreement commenced on January 1, 2009, and shall continue through December 31, 2010. Compensation is not to exceed a total of \$30,000. **(Contract No. C20090215)**
35. Resolution ratifying a Personal Services Agreement with Vanessa Soderberg to provide maternity support and infant case management services. A signed agreement was not received prior to commencement of services.

(Resolution No. R20090149)

36. Personal Services Agreement with Vanessa Soderberg to provide maternity support and infant case management services. The agreement commenced on January 1, 2009, and shall continue through December 31, 2010. Compensation is not to exceed a total of \$35,000. **(Contract No. C20090216)**

n) SUPERIOR COURT:

37. Resolution ratifying a Personal Services Agreement with The Language Exchange to provide interpreter services to Superior Court, District Court and District Court Probation. A signed agreement was not received prior to commencement of services. **(Resolution No. R20090150)**
38. Personal Services Agreement with The Language Exchange to provide interpreter services to Superior Court, District Court and District Court Probation. The agreement commenced on January 1, 2009, and shall continue through December 31, 2009. Compensation will vary depending on the services being rendered. **(Contract No. C20090217)**

o) YOUTH & FAMILY SERVICES:

39. Resolution ratifying an Interlocal Cooperative Agreement between Skagit County and Northwest Educational Service District 189. A signed contract was not received in time to fully execute the contract prior to October 1, 2008. **(Resolution No. R20090151)**
40. Interlocal Cooperative Agreement between Skagit County and Northwest Educational Service District 189, which implements Element 3 of the Safe Schools/Healthy Students Initiative - Mental Health. The agreement commenced on October 1, 2008, and shall continue through September 30, 2009. Compensation is not to exceed a total of \$635,369. **(Contract No. C20090218)**
41. Amendment No. 1 to Interlocal Cooperative Agreement No. C20090218) between Skagit County and Northwest Educational Service District 189, which increases funding in the amount of \$36,723 to continue services for Element 3 of the SS/HS Initiative - Mental Health. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20090034)**
42. Resolution ratifying an Interlocal Cooperative Agreement between Skagit County and Whatcom County. Whatcom County experienced administrative delays in signing the agreement. **(Resolution No. R20090152)**
43. Interlocal Cooperative Agreement between Skagit County and Whatcom County, which allows Whatcom County to provide housing for Skagit County juveniles in their Juvenile Detention unit. The agreement commenced on January 21, 2009, and shall continue through December 31, 2010. A daily fee in the amount of \$110 per day per juvenile will be charged. **(Contract No. C20090219)**

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 Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$79,129.25 (Transmittal No. C-42-09); and
 - b) Warrants numbered 293891 through 294462 from Clearing Fund 696 in the total dollar amount of \$1,797,928.13 (Transmittal No. C-43-09).
- 2) Resolution establishing a Revolving Fund for the Skagit County Fairgrounds in the amount of \$6,000 to be used as a Change Fund for fair events and facility rental damage deposit refunds.

A motion was made by Commissioner Wesen to approve the establishment of a Revolving Fund for the Fairgrounds. **(Resolution No. R20090153)** Chairman Dahlstedt seconded the motion, which passed unanimously.

- 3) Planning & Development Services Planner Marge Swint asked the Board to set Tuesday, April 7, 2009, at 10:00 a.m. for a closed record public hearing to consider a preliminary plat approval for the Plat of Perrigo Estates (PL08-0376), submitted by Morris Nilson.

A motion was made by Commissioner Wesen to approve scheduling Tuesday, April 7, 2009, at 10:00 a.m. to consider the Plat of Perrigo Estates. **(Approved)** Chairman Dahlstedt seconded the motion, which passed unanimously.

- 4) Arne Denny from the Prosecutor's Office brought forth a Settlement Agreement and Resolution between Skagit County and James M. and Patricia A. Paulson. The Resolution authorizes a fee waiver for a Special Use Permit to tightline water away from a fault on their property. This action settles a potential dispute over prior County code enforcement actions.

A motion was made by Commissioner Wesen to approve a Settlement Agreement and Resolution with James and Patricia Paulson as outlined by Mr. Denny. **(Contract No. C20090220 and Resolution No. R20090154)** Chairman Dahlstedt seconded the motion, which passed unanimously.

- 5) Mr. Denny next introduced an Interim Ordinance declaring an emergency and

adopting a moratorium on the acceptance of applications for Special Use Permits for Solid Waste Utilities on lands not specifically designated for such uses under SCC 14.16.600.

A motion was made by Commissioner Wesen to approve the Interim Ordinance as outlined by Mr. Denny. **(Ordinance No. O20090002)** Chairman Dahlstedt seconded the motion, which passed unanimously.

A motion was made by Commissioner Wesen to approve scheduling Tuesday, May 12, 2009, at 9:00 a.m. for a public hearing to consider adopting the moratorium as presented by Mr. Denny. **(Approved)** Chairman Dahlstedt seconded the motion, which passed unanimously.

V. ADJOURNMENT:

Chairman Dahlstedt adjourned the proceedings at 2:00 p.m. He stated the Commissioners would be going directly into executive session for two hours to discuss items related to potential litigation.

**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