

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
MONDAY, APRIL 6, 2009**

I. CALL TO ORDER:

Chairman Dahlstedt called the proceedings to order at 1:33 p.m.

II. PLEDGE OF ALLEGIANCE:

Chairman Dahlstedt led the gallery in the flag salute.

III. AGENDA:

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

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

IV. CONSENT AGENDA FOR MONDAY, APRIL 6, 2009, ITEMS 1 THROUGH 13:

A motion was made by Commissioner Wesen to approve the Consent Agenda, items 1 through 3 and 7 through 12, Ratification Agenda items 13 through 16, Vouchers, Warrants and Miscellaneous items as presented for Monday, April 6, 2009. Items 4, 5 and 6 were removed pending further review. Commissioner Dillon seconded the motion, which passed unanimously.

a) COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Monday, March 30, 2009. **(Approved)**
2. Record of the Proceedings for Tuesday, March 31, 2009. **(Approved)**

b) BUDGET & FINANCE:

3. Agreement with Adaptive Planning, Inc. to provide modifications to Skagit County's budget model. The agreement shall commence upon the date of execution, with a maximum total not to exceed \$1,800. **(Contract No. C20090239)**

c) CONSERVATION FUTURES:

4. Grant Deed of Agricultural Conservation Easement between Skagit County and S & B Properties, LLC, which allows for the purchase of approximately 16.8 acres and one development right for \$452,000. This purchase is in cooperation with the Washington State Recreation and Conservation Office. **(Removed pending further information)**
5. Grant Deed of Agricultural Conservation Easement between Skagit County

and S & B Properties, LLC and Richard and Patricia Smith, which allows for the purchase of approximately 167.52 acres and four development rights for \$452,000. This purchase is in cooperation with the Washington State Recreation and Conservation Office. **(Removed pending further information)**

6. Grant Deed of Agricultural Conservation Easement between Skagit County and S & B Properties, LLC, which allows for the purchase of approximately 80 acres and two development rights for \$452,000. This purchase is in cooperation with the Washington State Recreation and Conservation Office. **(Removed pending further information)**

d) PUBLIC WORKS DEPARTMENT:

7. Resolution designating Cliff Butler, Operations Division Manager, as Applicant Agent and Dave Sheridan, Interim Public Works Director, as the Alternate Applicant Agent for the December 2008 - January 2009 Severe Winter Storm and Record and Near Record Snow Event. **(Resolution No. R20090156)**
8. Public Assistance Grant Agreement No. D09-410 with the Washington State Military Department for the December 2008 - January 2009 Severe Winter Storm and Record and Near Record Snow Event. **(Contract No. C20090240)**
9. Resolution awarding the bid for the 2009 Asphalt Overlay Project ESAO-9 to CEMEX Pacific Holdings, LLC for the low bid amount of \$1,398,396.50. **(Resolution No. R20090157)**
10. Vendor Services Agreement with Green Crow Rock Products for the procurement of road maintenance materials not to exceed a total of \$100,000. The agreement commenced on April 1, 2009, and shall continue through March 31, 2010. **(Contract No. C20090241)**
11. Vendor Services Agreement with Hertz Equipment Rental Corporation to provide rental equipment for various projects with expected annual expenditures to exceed \$25,000, but not to exceed a maximum total of \$100,000. The agreement commenced on April 1, 2009, and shall continue through March 31, 2010. **(Contract No. C20090242)**
12. Vendor Services Agreement with NC Machinery to provide equipment rental for various projects with expected annual expenditures to exceed \$25,000, but not to exceed a maximum total of \$100,000. The agreement commenced on April 1, 2009, and shall continue through March 31, 2010. **(Contract No. C20090243)**

V. CONTRACT RATIFICATIONS, ITEMS 13 THROUGH 16:

e) PUBLIC WORKS DEPARTMENT:

13. Resolution ratifying Grant Agreement No. G09000211 with the Washington

Department of Ecology. **(Resolution No. R20090158)**

14. Grant Agreement No. G09000211 with the Washington Department of Ecology, which provides funding in the amount of up to \$1,000,000 for investigation and remediation of the Whitmarsh (March's Point) Landfill. The agreement commenced on January 1, 2008, and shall continue through June 30, 2013. **(Contract No. C20090244)**

f) SHERIFF'S DEPARTMENT:

15. Resolution ratifying a Contract with the Humane Society of Skagit County. **(Resolution No. R20090159)**
16. Contract between Skagit County and the Humane Society of Skagit County for boarding of impounded animals and those animals dropped off by County residents. The agreement commenced on January 1, 2009, and shall continue through December 31, 2009. Compensation is not to exceed a maximum of \$72,000. **(Contract No. C20090245)**

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 \$149,912.30 (Transmittal No. C-50-09); and
  - b) Warrants numbered 294897 through 295190 from Clearing Fund 696 in the total dollar amount \$1,047,694.41 (Transmittal No. C-51-09).
- 2) Brandon Black, Senior Planner with Planning and Development Services, asked the Commissioners to schedule Tuesday, April 14, 2009, at 9:00 a.m. for review and signature of the final Long "CaRD" Plat of Saratoga Passage View #PL06-0107.

A motion was made by Commissioner Dillon to approve setting Tuesday, April 14, 2009 at 9:00 a.m. to sign the final Long "CaRD" Plat of Saratoga Passage View #PL06-0107. Commissioner Wesen seconded the motion, which passed unanimously.

- 3) Civil Deputy Prosecutor Arne Denny brought forth a Resolution authorizing litigation to enforce compliance with Skagit County Development and Health Codes and to abate a public nuisance maintained by Scott Waldal, Skagit Hill Recycling, and Avis LLC.

A motion was made by Commissioner Dillon to approve the resolution as presented. (**Resolution No. R20090160**) Commissioner Wesen seconded the motion, which passed unanimously.

VII. ADJOURNMENT:

Chairman Dahlstedt adjourned the regular proceedings at 1:41 p.m. He announced executive sessions regarding potential litigation and personnel matters would begin at 2:00 p.m. and last until approximately 5:00 p.m.

VIII. BID OPENINGS - ONE NEW LATEST MODEL SELF PROPELLED SWEEPER AND THE SKAGIT COUNTY COURTHOUSE MASONRY RESTORATION AND REPAIR PROJECT:

**BID OPENING - ONE NEW LATEST MODEL SELF PROPELLED SWEEPER**

Mike Elde, ER & R Coordinator opened the following bid:

Clyde West  
8207 South 216th  
Kent, WA 98032  
Bid Bond Attached  
Total Bid Amount: \$46,112.57

Mr. Elde said following review of the bid, a recommendation would be forthcoming.

**BID OPENING - SKAGIT COUNTY COURTHOUSE MASONRY RESTORATION AND REPAIR PROJECT**

Capital Facilities Manager Al Jongsma opened the following bids for the Skagit County Courthouse Masonry Restoration and Repair Project:

Boss Construction  
4945 Guide Meridian  
Bellingham, WA 98226  
Bid Bond Attached  
Addendum Nos. 1 and 2 Acknowledged  
Total Bid Amount: \$55,510

Crosby Restoration  
1801 130th Avenue NE, Suite 200  
Bellevue, WA 98005  
Bid Bond Attached  
Addendum Nos. 1 and 2 Acknowledged  
Total Bid Amount: \$69,540

Ebenol, Inc.  
P. O. Box 31548  
Bellingham, WA 98228  
Bid Bond Attached  
Addendum Nos. 1 and 2 Acknowledged  
Total Bid Amount: \$36,000

Pioneer Masonry Restoration Company, Inc.  
P. O. Box 70110  
Seattle, WA 98127  
Bid Bond attached  
Addendum Nos. 1 and 2 Acknowledged  
Total Bid Amount: \$64,888

Talakai Construction  
9236 25th Avenue SW  
Seattle, WA 98106  
Bid Bond Attached  
Addendum Nos. 1 and 2 Acknowledged  
Total Bid Amount: \$117,785

Mr. Jongsma said the bids would be reviewed and a recommendation would be forthcoming.

**BOARD OF COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON**

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Kenneth A. Dahlstedt, Chairman

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Sharon D. Dillon, Commissioner

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Ron Wesen, Commissioner

ATTEST:

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