

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
TUESDAY, JUNE 16, 2009**

The Skagit County Board of Commissioners met in regular session on Tuesday, June 16, 2009, with Commissioners Sharon D. Dillon, and Ron Wesen present.

I. CALL TO ORDER:

Commissioner Dillon called the proceedings to order at 8:02 a.m.

Chairman Dahlstedt's absence from the proceedings was excused as he was on vacation.

II. PLEDGE OF ALLEGIANCE:

Commissioner Dillon led the gallery in the salute the flag.

III. AGENDA:

A. 8:00 a.m. - 9:00 a.m. Public Works Department - David Sheridan, Director

1. Public Hearing/Possible Subsequent Action - Regarding the Determination of Inactive Special Purpose District Status for the Cook Road Lateral to the Sedro-Woolley Sub-Flood Control Zone

Janice Flagan, Assistant Surface Water Manager, advised the Board the Cook Road Lateral to the Sedro-Woolley Sub-Flood Control Zone consists of 21 parcels containing 44.24 acres, lying west of Prospect Street along Cook Road. This Sub Flood Control Zone was created on December 12, 1972, under RCW 86.15.020 by resolution #5878. It was created for the purpose of installing certain capital flood and storm water control improvements. The purpose for which this fund was established was accomplished in 1972. The last annual assessment required was in 1984.

The Skagit County Auditor's office has no record of filing of a statement by the Cook Road Lateral to the Sedro-Woolley Sub Flood Control Zone, nor does the Auditor have record or knowledge of any election or appointment to a governing body of those entities in the past seven years.

She went on to report pursuant to RCW 36.96.010(3)(b) Sub-Flood Control Zones are considered inactive under two criteria: (a) has not carried out any of the special purposes or functions for which it was formed within the preceding consecutive five-year period; or (b) no election has been held for the purpose of electing a member of the governing body within the preceding consecutive seven-year period or in those instances where members of the governing body are appointed and not elected, where no member of the governing body has been appointed within the preceding seven-year period.

Commissioner Dillon opened the public hearing at 8:05 a.m.

Seeing no public testimony forthcoming, Commissioner Wesen moved to

close the Public Hearing at 8:06 a.m. Commissioner Dillon seconded the motion, which carried.

A motion was made by Commissioner Wesen to approve a Resolution to designate the Cook Road Lateral to the Sedro-Woolley Sub-Flood Control Zone as inactive and to abolish the Cook Road Lateral to the Sedro-Woolley Sub-Flood Control Zone. (**Resolution No. R20090263**) Commissioner Dillon seconded the motion, which passed unanimously.

2. **Public Hearing/ Possible Subsequent Action - Regarding the Determination of Inactive Special Purpose District Status for the Shangri-La Sub-Flood Control Zone**

Ms. Flagan reported the Shangri-La Sub-Flood Control Zone consists of 55 parcels lying southerly and westerly of the County road known as Cape Horn Road. The Sub-Flood Control Zone was created on June 18, 1981, under RCW 86.15.020 by Resolution No. 8915. The Sub-Flood Control Zone was created for the purpose of constructing and maintaining a bank protection project. The purpose for which this fund was established was accomplished in 1982. She stated this Zone has no annual assessment and was uniquely established to assess by land value only if funds were needed for a project. No charges for administrative services are made to this Zone. The last fund activity was in 1984, which was for the purpose of repairing the bank project. The last known advisory board was in 1984 and the Skagit County Public Works and Auditor's office considers this Zone inactive.

She advised the Skagit County Auditor's office has no record of filing of a statement by the Shangri-La Sub Flood Zone nor does the Auditor have record or knowledge of any election or appointment to a governing body of those entities in the past seven years.

Commissioner Dillon opened the public hearing at 8:08 a.m.

Mel Struck of 35738 Shangri-La Drive in Sedro-Woolley, asked if there would be any protection to the neighborhood if the Shangri-La Sub-Flood Control Zone were to be abolished and water broke through the bank. Mr. Struck stated in his opinion the Zone is not inactive.

Commissioner Wesen asked what the options would be if a flood event occurred after the Sub-Flood Control Zone was abolished.

Ms. Flagan stated the options would be 1) to use drainage utility funds, if appropriate; 2) the Zone could be reestablished in order to construct a specific project; and 3) if the Zone were not abolished, a public hearing would be held to raise the property assessment to pay for the project needs.

Wes Andrew of 35470 Shangri-La Drive in Sedro-Woolley, spoke in opposition to abolishing the Zone.

Seeing no further public testimony forthcoming Commissioner Wesen closed the public hearing at 8:21 a.m. Commissioner Dillon seconded the motion, which carried.

Chuck Parker of 35358 Shangri-La Drive in Sedro-Woolley, said he is the President of the Shangri-La Homeowners' Association. He stated he would work with the Public Works Department to establish a date for a neighborhood meeting.

Commissioner Wesen made a motion to postpone a decision until further notice. Commissioner Dillon seconded the motion, which carried.

3. Presentation - Retirement Certificate of Commendation to Gail Logsdon Following 40 Years of Employment with Skagit County, April 21, 1969, Through May 31, 2009

Paul Randall-Grutter, County Engineer, stated that Gail Lodgson began working for Skagit County on April 21, 1969. Mr. Randall-Grutter stated Mr. Lodgson has been a dedicated public employee for 40 years.

Commissioner Wesen read the Certificate of Commendation and presented it to Mr. Lodgson.

Mr. Lodgson thanked the Board and his fellow workers for the opportunity to work 40 years for Skagit County.

The Commissioners wished him well in his retirement.

4. Miscellaneous

There were no miscellaneous items for Public Works to discuss.

Commissioner Dillon recessed the proceedings at 8:40 a.m.

- B. 9:00 a.m. - 9:30 a.m. Public Hearing - To Consider Amending the 2009 EMS (Emergency Medical Services) Budget, and Creating a Budget for the Central Valley Ambulance Authority

Commissioner Dillon reconvened the proceedings at 9:01 a.m.

Trisha Logue, Budget and Finance Director, provided a brief history of the Skagit County Emergency Medical Services (EMS) Commission's functions and the services they provide. She indicated that effective July 1, 2009, the Skagit County EMS Commission will no longer directly provide EMS services. She reported the Board of County Commissioners adopted Ordinance No. O20090004, which created the Central Valley Ambulance Authority as an independent public commission to continue the provision of direct emergency medical service delivery in Central Skagit County in place of the Skagit County EMS Commission.

Ms. Logue advised the budget amendment is needed to accurately reflect a change in spending authority based upon the creation of the Central Valley Ambulance Authority.

Commissioner Dillon opened the public hearing at 9:06 a.m.

Seeing no public testimony forthcoming, Commissioner Wesen made a motion to close the public hearing at 9:07 a.m. Commissioner Dillon seconded the motion, which carried.

A motion was made by Commissioner Wesen to approve the supplement to the 2009 EMS budget and the creation of the Central Valley Ambulance Authority budget. (**Resolution No. R20090264**) Commissioner Dillon seconded the motion, which passed unanimously. Chairman Kenneth A. Dahlstedt's absence was excused

Commissioner Dillon recessed the proceedings 9:08 a.m.

- C. *9:30 a.m. - 11:00 a.m. Briefing - County Commissioners/Administrator
- D. 11:00 a.m. - 11:30 a.m. Consent Agenda and Miscellaneous Items
- E. 11:30 a.m. - 11:45 a.m. Public Comment Period

Commissioner Dillon reconvened the proceedings at 11:30 a.m.

The following residents of Guemes Island urged the County Commissioners to allow the Guemes Island Sub Area Plan to move forward and to allow it to be completed within a reasonable amount of time: Joost Businger of 6500 Square Harbor Lane, and President of the Guemes Island Planning Committee (GIPAC); Marianne Kooiman of 6500 Square Harbor Lane, and a member of GIPAC; Roz Glasser of 7779 Hideaway Lane; Edith Walden of 6203 South Shore Road; Fred Sievers of 5036 Totem Trail Road; and Connie Snell of 5889 South Shore road.

The following residents of Bow and Edison spoke in favor of Skagit County Code Chapter 9.50, and Skagit County Ordinance No. O20080001, which addresses noise control: Jan Davis of 5544 Smith Road of Bow; Ann Davis of 5848 Farm to Market Road in Edison; Dana Rust of 5800 Cain's Court in Bow; Glen Turner of 5548 Smith Road in Bow; and Tom Plank of 5821 Cain's Court in Bow,

Mike Hulbert of 23104 Hwy. 534 in Mount Vernon and a member of the Skagit County Agricultural Advisory Board presented letter to the Board, dated June 10, 2009, which requests the Commissioners to direct appropriate staff to begin actively implementing and enforcing Skagit County Code 14.16.400(2)(o), which allows single family residential dwellings on land zoned Ag-NRL as a permitted use only when accessory to an agricultural use.

Colleen Williams of 33454 West Shore Drive in Mount Vernon spoke to the Board about her concerns regarding a portion of property located on West Shore Drive. She indicated there are junk vehicles and old tires littering the property and would like to rectify the problem.

Commissioner Wesen made a motion to close the public comment period at 11:56 a.m. Commissioner Dillon seconded the motion, which carried.

IV. CONSENT AGENDA FOR TUESDAY, JUNE 16, 2009, ITEMS 1 - 27:

Commissioner Dillon reconvened the proceedings at 11:02 a.m.

A motion was made by Commissioner Wesen to approve the Consent Agenda, items 1 through 27, Ratification Agenda items 28 through 39, vouchers, and warrants as presented for Tuesday, June 16, 2009. Commissioner Dillon seconded the motion, which passed unanimously.

a) COMMISSIONERS' OFFICE:

1. Revised Record of the Proceedings for Tuesday, June 2, 2009. **(Approved)**
2. Record of the Proceedings for Monday, June 8, 2009. **(Approved)**
3. Interagency Agreement between Skagit County and the Department of General Administration to provide management services for an energy/utility conservation project in conjunction with the Statewide Energy Performance Contracting Program. The agreement shall commence upon the date of execution and continue through December 31, 2012. Compensation shall vary depending on the services being provided. **(Contract No. C20090382)**

b) BUDGET AND FINANCE:

4. Interlocal Cooperative Agreement between Skagit County and the Port of Skagit County, which awards \$100,000 in Economic Development funding for the Port's Fiber Optic Connection Project. The agreement shall commence upon the date of execution and continue for 24 months. **(Contract No. C20090383)**
5. Interlocal Cooperative Agreement between Skagit County and the Port of Skagit County, which awards \$350,000 in Economic Development funding for the Port's Industrial Building Project. The agreement shall commence upon the date of execution and continue for 24 months. **(Contract No. C20090384)**
6. Personal Services Agreement, per Ratification Resolution No. R20090004, with Skagitonians to Preserve Farmland, which awards \$5,000 of Lodging Tax Funds to support the Celebrate Skagit Art Show. The agreement commenced on January 1, 2009, and shall continue through December 31, 2009. **(Contract No. C20090385)**

c) FACILITY MANAGEMENT:

7. Personal Services Agreement with Pinnacle Public Services, LLC/Intelmate, LLC to provide phone system services to the Skagit County Jail and Juvenile

Detention facilities. The agreement shall commence upon the date of execution and continue for 2 years. The Contractor shall pay the County 55% of billed gross revenues on a monthly basis. **(Contract No. C20090386)**

8. Amendment No. 6 to Personal Services Agreement No. C20060100 with Voorhis Associates, Inc. to provide additional services regarding the Pre-Design Study for Youth and Family Services, Juvenile Detention area. Tasks and deliverables include the building assessment, a building fit test and budget planning compensation. The amendment adds additional funding in the amount of \$10,925 for a new contract total not to exceed \$320,425. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20090075)**

d) HUMAN SERVICES:

9. Amendment No. 4 to Personal Services Agreement No. C20080440 with Phoenix Recovery Services, which extends the contract through September 30, 2009, and adds additional funding in the amount of \$75,000 for a new contract total not to exceed \$450,000 for substance abuse treatment services. All other terms and conditions of the original contract, including Amendments, shall remain in effect. **(Amendment No. A20090076)**
10. Personal Services Agreement with Compass Health to provide Substance Abuse Crisis services during the period of July 1, 2009, through June 30, 2011. Compensation in the amount of \$608,418 is funded by the Washington State Department of Social and Health Services - Division of Alcohol & Substance Abuse and by contributions from the alcohol profits and taxes collected by Skagit County and the cities of Skagit County. **(Contract No. C20090387)**
11. Amendment No. 1 to Personal Services Agreement No. C20080547 with Diane D. Marr, PhD, which extends the length of the contract to December 31, 2010, and amends reimbursement rates for the Community Wellness Program. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20090077)**
12. Amendment No. 1 to Personal Services Agreement No. C20080442 with Skagit Recovery Center, which extends the contract through December 31, 2009, for chemical dependency assessment and outpatient treatment services to individuals referred for participation in Skagit County's Adult Felony Drug Court. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20090078)**
13. Amendment No. 1 to Personal Services Agreement No. C20080375 with Skagit Preschool & Recourse Center (SPARC), which increases the amount of funds allocated to the SPARC Parent to Parent Program by \$4,540 for a new contract total of \$34,935 and extends the agreement through August 31, 2009. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20090079)**
14. Amendment No. 2 to Personal Services Agreement No. C20070396 with Washington Vocational Services, which extends the contract through August

31, 2009, and decreases the minimum service levels and funding rates due to State budget cuts for developmental disabilities. Compensation is increased by \$24,000 to cover the contract extension, for a new contract total of \$344,000. All other terms and conditions of the original contract shall remain in effect, including Amendment No. 1. **(Amendment No. A20090080)**

15. Amendment No. 3 to Contract No. C20070395 with the Washington State Department of Social and Health Services - Division of Developmental Disabilities to provide additional funding in the amount of \$49,914.78 for developmental disability services to clients transferred to Skagit County from other counties in the State. The new contract total shall not exceed \$2,133,886. All other terms and conditions of the original contract, including Amendments, shall remain in effect. **(Amendment No. A20090081)**
16. Amendment No. 1 to Personal Services Agreement No. C20080639 with Skagit Recovery Center, which replaces the original Scope of Work and adds mileage and transportation fees. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20090082)**
17. Personal Services Agreement with Skagit Preschool & Resource Center (SPARC) to provide Developmental Disabilities Early Childhood Development services to children from birth to 3 years. The agreement shall commence on July 1, 2009, and continue through June 30, 2010. Compensation is not to exceed a total of \$75,369. **(Contract No. C20090388)**
18. Interlocal Cooperative Agreement between Skagit County and the State of Washington, Office of Financial Management to provide support for mental health and substance abuse treatment. The Agreement shall commence on July 1, 2009, and continue through June 30, 2011. Compensation is not to exceed a total of \$200,000. **(Contract No. C20090389)**

e) PROSECUTOR'S OFFICE:

19. Interlocal Cooperative Agreement between Skagit County and the Tulalip Tribes. beda?chelh is the Tribal Agency that will utilize this agreement on behalf of the Tribes. The agreement allows forensic interviews for Tulalip Tribal children and shall commence upon the date of execution and continue through December 31, 2009. Compensation shall vary depending on the services being provided. **(Contract No. C20090390)**
20. Resolution providing a notice of intent of Skagit County to withdraw from the North Sound Regional Support Network. **(Resolution No. R20090265)**

f) PUBLIC WORKS DEPARTMENT:

21. Vendor Services Agreement with Excavation West, LLC to provide on-call bridge debris removal services. The contract was awarded by Resolution No. R20090195. The agreement shall commence upon the date of signature and continue for 1 year. Annual compensation is not to exceed \$100,000. **(Contract No. C20090391)**

22. Ordinance creating Skagit County Lake Management District No. 2 for Lake McMurray. **(Ordinance No. 020090007)**
23. Amendment No. 1 to Personal Services Agreement No. C20090052 with Otak, Inc., which adds Task 2 to the Scope of Work and increases the contract by \$35,000 for a new contract total not to exceed \$110,000. The objective of Task 2 is to evaluate the County's existing Stormwater Management Program and create a Regulatory Compliance Matrix to identify and address the County's needs and costs over the next 5 years. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20090083)**

g) SHERIFF'S OFFICE:

24. Intergovernmental Agreement between the Skagit County Sheriff's Office and the Washington State Parks and Recreation Commission to provide Federal U. S. Coast Guard funding in the amount of \$40,566 for approved boating programs to assist with local marine law enforcement efforts. The agreement shall commence on July 1, 2009, and continue through June 30, 2010. **(Contract No. C20090392)**
25. Amendment No. 2 to Personal Services Agreement No. C20070292 with Parker Corporate Services, Inc., dba Whatcom Security Agency, which extends the agreement through June 30, 2010, modifies manpower requirements and the days of operation to include the potential reduced need on County furlough dates. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20090084)**

h) YOUTH & FAMILY SERVICES:

26. Personal Services Agreement with Lisa Jacobson to provide coordination of Skagit County Child and Family Consortium activities. The agreement shall commence on July 1, 2009, and continue through December 31, 2009. Compensation is not to exceed a total of \$5,000. **(Contract No. C20090393)**
27. Interlocal Cooperative Agreement between Skagit County and the Mount Vernon School District (MVSD), which allows MVSD to apply for Readiness to Learn funding. If such funding is awarded, MVSD will contract with the County to reimburse for costs associated with operating the program. The agreement shall commence on July 1, 2009, and continue through June 30, 2011. **(Contract No. C20090394)**

V. CONTRACT RATIFICATIONS, ITEMS 28 - 39:

i) AUDITOR'S OFFICE:

28. Resolution ratifying a Preventative Service Maintenance Agreement with Fujitsu Computer Products of America. It was necessary to provide continuous services for maintenance and service of election equipment prior

to the contract being signed by the Vendor. **(Resolution No. R20090266)**

29. Preventative Service Maintenance Agreement with Fujitsu Computer Products of America for two election ballot scanners effective May 28, 2009, through May 27, 2010. Compensation is not to exceed \$3,645. **(Contract No. C20090395)**

j) HEALTH DEPARTMENT:

30. Resolution ratifying a Nurse-Family Partnership Implementation Agreement between Skagit County and Northwest Education Service District 189. The contract was delayed due to counsel requiring additional terms to be added to the contract and it was advisable to continue program work while contract language was under negotiation. **(Resolution No. R20090267)**
31. Nurse-Family Partnership Implementation Agreement between Skagit County and Northwest Education Service District 189, which provides for the continuation of technical support and ongoing education and allows continued use of program materials and software. The agreement commenced on May 1, 2009, and shall continue through April 30, 2012. Compensation is not to exceed a total of \$45,179. **(Contract No. C20090396)**

k) SHERIFF'S OFFICE:

32. Resolution ratifying an Interagency Agreement between the Skagit County Sheriff's Office and the Washington State Patrol (WSP) to participate in a Federal grant for domestic cannabis eradication/suppression. The agreement was only recently received from WSP after they determined the amount of funding to be allocated, thus the delay. **(Resolution No. R20090268)**
33. Interagency Agreement, per Resolution No. R20070294, between the Skagit County Sheriff's Office and the Washington State Patrol, which supports a Federal grant for domestic cannabis eradication/suppression and provides funding in the amount of \$30,000 to local law enforcement agencies to support locating and eradication of illicit cannabis plants and the investigation and prosecution of cases involving controlled substances. The agreement commenced on January 1, 2009, and shall continue through December 31, 2009. **(Contract No. C20090397)**
34. Resolution ratifying the re-execution of Vendor Services Agreement No. C20040150 with ARAMARK Correctional Services, LLC for food and commissary services. It was necessary to provide these services prior to receiving a signed contract from the vendor. **(Resolution No. R20090269)**
35. Re-execution of Vendor Services Agreement No. C20040150 with ARAMARK Correctional Services, LLC for food and commissary services, which substitutes a sack cold breakfast, extends the contract through March 12, 2010, and changes the price per meal scale. All other terms and conditions shall remain in effect. **(Contract No. C20090398)**

36. Resolution ratifying Amendment No. 1 to Interlocal Cooperative Agreement No. C20070435 between Skagit County and Skagit Transit. A signed agreement was only recently received due to staffing issues at the Transit Agency. **(Resolution No. R20090270)**
 37. Amendment No. 1 to Interlocal Cooperative Agreement No. C20070435 between Skagit County and Skagit Transit to provide work crew services under the County's Offender Work Crew Program. The amendment increases the program to six nights per week effective April 1, 2009, and continues through December 31, 2011. It also increases the amount of compensation Skagit Transit pays the County by an additional \$4,000 for a new contract total of \$20,000. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20090085)**
- l) YOUTH & FAMILY SERVICES:
38. Resolution ratifying an Interlocal Cooperative Agreement between Skagit County and the Mount Vernon School District with regard to funding of the Truancy Prevention position. Changes in the review of local Truancy Court processes delayed the completion of the Agreement. **(Resolution No. R20090271)**
 39. Interlocal Cooperative Agreement between Skagit County and the Mount Vernon School District to jointly fund a Truancy Specialist position to implement the truancy portion of the BECCA Bill. The agreement commenced on September 1, 2008, and continues through August 31, 2009. The District will reimburse the County \$9,132.71 upon receipt of a detailed invoice. **(Contract No. C20090399)**

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) Warrants numbered 299107 through 299165 from Clearing Fund 696 in the total dollar amount of \$114,750.80 (Transmittal No. C-77-09); and
 - b) Purchase Card Electronic Payment to JP MORGAN CHASE from Clearing Fund 696 in the total dollar amount of \$27,632.95 (Transmittal No. C-78-09); and
 - c) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$264,022.79 (Transmittal No. C-79-09); and
 - d) Warrants numbered 299166 through 299674 from Clearing Fund 696 in the total dollar amount of \$1,550,255.01 (Transmittal No. C-80-09); and

- e) Payroll warrants numbered 246578 through 247375 in the total dollar amount of \$1,141,894.05 (Transmittal No. P-21-09); and
 - f) Payroll warrants numbered 984012 through 984184 in the total dollar amount of \$271,276.22 (Transmittal No. P-22-09).
- 2) Marge Swint of Planning and Development Services asked the Commissioners to schedule Tuesday, June 30, 2009, at 11:00 a.m. for preliminary approval of the Plat of Ambleside (PL07-0680) submitted by Race Bannon Ventures, LLC.

A motion was made by Commissioner Wesen to approve scheduling Tuesday, June 30, 2009, at 11:00 a.m. for the preliminary approval of the Plat of Ambleside (PL07-0680) submitted by Race Bannon Ventures, LLC. Commissioner Dillon seconded the motion, which passed unanimously.

VII. ADJOURNMENT:

Commissioner Dillon adjourned the proceedings at 12:00 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