

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, JULY 13, 2009**

I. CALL TO ORDER:

Chairman Dahlstedt called the proceedings to order at 1:31 p.m.

II. PLEDGE OF ALLEGIANCE:

Chairman Dahlstedt led the gallery in the flag salute.

III. AGENDA:

A. *8:00 a.m. - 11:00 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 FOR MONDAY, JULY 13, 2009, ITEMS 1 through 27:

A motion was made by Commissioner Wesen to approve the Consent Agenda and miscellaneous items for Monday, July 13, 2009. Commissioner Dillon seconded the motion, which passed unanimously.

a) COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Tuesday, July 7, 2009. **(Approved)**

b) FARMLAND LEGACY PROGRAM:

2. Conservation Easement Deed with Western Valley Farms, LLC for the purchase of a conservation easement in the amount of \$110,000 for 43.91 acres, which extinguishes one development right. The property is located on Bulson Road in Mount Vernon. **(Contract No. C20090427)**
3. Conservation Easement Deed with John J. DeVlieger for the purchase of a conservation easement in the amount of \$260,000 for 26.08 acres, which extinguishes one development right. The property is located on Britt Road in Mount Vernon. **(Contract No. C20090428)**
4. Conservation Easement Deed with Garritt E. and Sheryl L. Kuipers for the purchase of a conservation easement in the amount of \$135,000 for 45.17 acres, which extinguishes one development right. The property is located on Avon Allen Road. **(Contract No. C20090429)**

c) FACILITY MANAGEMENT:

5. Amendment No. 2 to Personal Services Agreement No. C20090043 with Roger S. Howard, dba Howard Consulting, LLC, which adds additional compensation not to exceed \$10,000 for management services in connection with the CTED grant project for the Skagit County Recreation and Events Center - Phase 1. All other terms and conditions of the original contract, including Amendment No. 1, shall remain in effect. (**Amendment No. A20090115**)
6. Amendment No. 1 to Vendor Services Agreement No. C20090164 with Dimock Construction, LLC, which adds additional compensation in the amount of \$19,630.08 for expenses incurred during minor remodeling at four Skagit County buildings. This brings the new contract total to \$36,726.59. All other terms and conditions of the original contract shall remain in effect. (**Amendment No. A20090116**)
7. Resolution authorizing participation in the U. S. Communities Cooperative Purchasing Alliance, which is a nonprofit governmental alliance formed to competitively bid nationwide contracts accessible to all public agencies. (**Resolution No. R20090291**)

d) HEALTH DEPARTMENT:

8. Amendment No. 16 to Consolidated Contract No. C20070142 with the Washington State Department of Health, which adds \$7,156 to the WIC program and changes the terms for Local Capacity Funds to allow funding for TB and STD projects and provide less funding for the Welcome Baby and Assessment program. All other terms and conditions of the original contract, including Amendments 1 - 15, shall remain in effect. (**Amendment No. A20090117**)

e) MEDIATION SERVICES:

9. Grant Agreement between Skagit County and the Department of Justice - Office of Justice Programs for funding in the amount of \$56,385 under the FY 09 Recovery Act Edward Byrne Memorial Justice Assistance Grant Program Local Solicitation. Funds will be used for Skagit County Mediation Services' Victim Offender Reconciliation Program, which commences on October 1, 2009, and continues through February 28, 2013. (**Contract No. C20090430**)

f) PUBLIC WORKS DEPARTMENT:

10. Resolution amending Resolution No. R20090110 designating Cliff Butler, Operations Division Manager, as the Federal Emergency Management Agency (FEMA) Applicant Agent and Dan Berentson, Natural Resources Administrator, as the alternate FEMA Applicant Agent for the November 2006 Flood Event. (**Resolution No. R20090292**)
11. Resolution amending Resolution No. R20090111 designating Cliff Butler, Operations Division Manager, as Federal Emergency Management Agency (FEMA) Applicant Agent and Dan Berentson, Natural Resources

Administrator, as the alternate FEMA Applicant Agent for the for the December 2007 Flood Event. **(Resolution No. R20090293)**

12. Resolution amending Resolution No. R20090109 designating Cliff Butler, Operations Division Manager, as Federal Emergency Management Agency (FEMA) Applicant Agent and Dan Berentson, Natural Resources Administrator, as the alternate FEMA Applicant Agent for the for the October 2003 Flood Event. **(Resolution No. R20090294)**
13. Resolution amending Resolution No. R20090156 designating Cliff Butler, Operations Division Manager, as Federal Emergency Management Agency (FEMA) Applicant Agent and Dan Berentson, Natural Resources Administrator, as the alternate FEMA Applicant Agent for the for the December 2008 - January 2009 Severe Winter Storm and Record and Near Record Snow Event. **(Resolution No. R20090295)**
14. Resolution amending Resolution No. R20090112 designating Cliff Butler, Operations Division Manager, as Federal Emergency Management Agency (FEMA) Applicant Agent and Dan Berentson, Natural Resources Administrator, as the alternate FEMA Applicant Agent for the for the January 2009 Severe Winter Storm Event. **(Resolution No. R20090296)**
15. Resolution calling for a public hearing regarding the 2010-2015 Six-Year Transportation Improvement Program (TIP), which will be held on Tuesday, August 11, 2009, at 8:30 a.m. **(Resolution No. R20090297)**

g) SHERIFF'S DEPARTMENT:

16. Amendment No. 1 to Interlocal Cooperative Agreement No. 4498 between Skagit County and the Swinomish Indian Tribal Community for law enforcement services, which extends the agreement through July 19, 2011. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20090118)**

h) YOUTH & FAMILY SERVICES:

17. Personal Services Agreement with Tony Vecchione to provide specialized child, adolescent, adult and family assessment, evaluation and treatment services. The agreement shall commence on August 1, 2009, and continue through July 31, 2011. Compensation is not to exceed a total of \$70,000. **(Contract No. C20090431)**

I. CONTRACT RATIFICATIONS (Items 18 through 27):

i) HEALTH DEPARTMENT:

18. Resolution ratifying a County Program Agreement between Skagit County and DSHS (Washington State Department of Social and Health Services) Contract No. 0963-68546, which allows for continuation of the Early Family Support Services (EFSS) Program. The agreement was not received by DSHS in a timely manner. **(Resolution No. R20090298)**

19. County Program Agreement between Skagit County and DSHS (Washington State Department of Social and Health Services) Contract No. 0963-68546, which allows for continuation of the Early Family Support Services (EFSS) Program. The agreement commenced on July 1, 2009, and shall continue through June 30, 2010. Compensation is not to exceed a maximum of \$13,340. **(Contract No. C20090432)**

j) HUMAN SERVICES:

20. Resolution ratifying County Program Agreement No. 0963-68059 between Skagit County and the Washington State Department of Social and Health Services - Division of Alcohol and Substance Abuse. Processing the Agreement was delayed by DSHS due to various budget cuts, which delayed the finalization and acceptance of the Agreement by the County. **(Resolution No. R20090299)**
21. County Program Agreement No. 0963-68059 between Skagit County and the Washington State Department of Social and Health Services - Division of Alcohol and Substance Abuse, which allows for the continuation of alcohol and substance abuse treatment and prevention services in the community. The agreement commenced on July 1, 2009, and shall continue through September 30, 2009. Total compensation from State and Federal funds is not to exceed \$2,411,102. **(Contract No. C20090433)**
22. Resolution ratifying County Program Agreement No. 0963-67936 between Skagit County and the Washington State Department of Social and Health Services - Division of Developmental Disabilities. Processing the Agreement was delayed by DSHS due to numerous budget cuts by the State. Human Services did not want the developmental disability service providers to delay or deny any services or programs to clients or their families, thus services were continued. **(Resolution No. R20090300)**
23. County Program Agreement No. 0963-67936 between Skagit County and the Washington State Department of Social and Health Services - Division of Developmental Disabilities to provide developmental disability services to clients in the community. The Agreement commenced on July 1, 2009, and shall continue through June 30, 2010. Compensation is not to exceed a maximum amount of \$1,121,845. **(Contract No. C20090434)**

k) PROSECUTING ATTORNEY:

24. Resolution ratifying a Personal Services Agreement with Dr. Sigmund Menchel to provide expert witness testimony regarding the case of State v Tyler Kales. The date for this trial and the necessary expert witness testimony was delayed several times by the Court and by the time the matter finally went to trial, it was discovered that the original contract covering the services had expired. **(Resolution No. R20090301)**
25. Personal Services Agreement with Dr. Sigmund Menchel to provide expert witness testimony in Skagit County Superior Court relating to issues regarding the case of State v Tyler Kales. The agreement commenced on May

2, 2009, and shall continue through December 31, 2009. Compensation is not to exceed a total of \$2,000. **(Contract No. C20090435)**

l) SHERIFF'S DEPARTMENT:

26. Resolution ratifying an Interlocal Cooperative Agreement between Skagit County and the City of Anacortes to provide boating safety program services within the City's jurisdiction. A signed Agreement was only recently received from the City after negotiating terms with the County Sheriff's Office and the Washington State Parks and Recreation Commission. **(Resolution No. R20090302)**
27. Interlocal Cooperative Agreement between Skagit County and the City of Anacortes to provide boating safety program services within the City's jurisdiction. The Agreement commenced on June 30, 2009, and shall continue until June 30, 2012. The County agrees to pay Anacortes Police Officers for wages incurred for training purposes during the first year of the Agreement, in an amount not to exceed \$3,500. **(Contract No. C20090436)**

V. VOUCHERS AND WARRANTS:

- 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) Warrant number 295671 from Clearing Fund 696 in the total dollar amount of \$3,483.90 (Transmittal No. C-55-09); and
 - b) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation in the total dollar amount of \$170,122.34 (Transmittal No. C-90-09); and
 - c) Warrants numbered 300953 through 301378 in the total dollar amount of \$4,056,419.94 (Transmittal No. C-91-09); and
 - d) Payroll warrants numbered 248174 through 248956 in the total dollar amount of \$1,200,307.83 (Transmittal No. P-25-09).

VI. OTHER BUSINESS:

- 1) No other business was brought forward.

VII. ADJOURNMENT:

Chairman Dahlstedt adjourned the proceedings at 1:32 p.m. He announced the Board would be going into executive session at 2:00 p.m. to discuss matters of 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