

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
MONDAY, AUGUST 3, 2009**

I. CALL TO ORDER:

The Skagit County Board of Commissioners met in regular session on Monday, August 3, 2009, with Commissioners Kenneth A. Dahlstedt, Sharon D. Dillon, and Ron Wesen present.

Chairman Dahlstedt called the proceedings to order at 11:03 a.m. and led the gallery in the pledge to the flag.

II. AGENDA:

- A. \*8:00 a.m. - 10:00 a.m. Briefing - County Commissioners/Administrator
- B. 11:00 a.m. - 11:30 a.m. Consent Agenda and Miscellaneous Items
- C. \*11:30 a.m. - 12:00 p.m. Executive Session - Potential Litigation
- D. \*1:30 p.m. - 3:30 p.m. Executive Session - Personnel, Potential Litigation

III. CONSENT AGENDA FOR MONDAY, AUGUST 3, 2009, ITEMS 1 through 36:

A motion was made by Commissioner Dillon the Consent Agenda items 1 through 29, items 32 through 36, Ratification Agenda items 37 through 48, vouchers and warrants for Monday, August 3, 2009. Consent Agenda items 30 and 31 were pulled pending further discussion. Commissioner Wesen seconded the motion, which passed unanimously.

a) COMMISSIONERS' OFFICE:

- 1. Record of the Proceedings for Monday, July 20, 2009. **(approved)**
- 2. Record of the Proceedings for Tuesday, July 21, 2009. **(approved)**
- 3. Resolution authorizing the appointment of Susan Regan to fill the unexpired term of Mary Scott on the Skagit Regional Public Facility District Board effective September 1, 2009, until September 1, 2011. **(Resolution No. R20090318)**
- 4. Resolution authorizing the appointment of Pam S. Nelson to the Skagit Regional Public Facility District Board for a term of four years, effective September 1, 2009, and expiring on September 1, 2013. **(Resolution No. R20090319)**
- 5. Resolution authorizing the appointment of Alan Merritt to serve as the new

Horticultural Pest and Disease Board President, replacing Cecily Hoffman who resigned from the post. The appointment becomes effective on the date of execution and expires on December 31, 2010. **(Resolution No. R20090320)**

b) ADMINISTRATIVE SERVICES:

6. Advertising Agreement with Skagit Publishing to provide advertising services as requested. The agreement commenced on August 1, 2009, and shall continue through July 31, 2010. Compensation is not to exceed a total of \$85,000. **(Contract No. C20090474)**

c) BUDGET & FINANCE:

7. Resolution allocating additional Homeless Housing and Assistance funding pursuant to the Washington State Legislature's authorization of an additional \$20 surcharge on all documents recorded through the County Auditor's Office for the purpose of providing homeless housing and assistance, which became effective on July 26, 2009, and shall continue through June 30, 2013. **(Resolution No. R20090321)**
8. Amendment No. 2 to Interlocal Cooperative Agreement No. C20080475 between Skagit County and the Town of Lyman, which extends the term of the agreement from July 29, 2009, to July 29, 2010. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20090122)**

d) FACILITY MANAGEMENT:

9. Amendment No. 2 to Vendor Services Agreement No. C20070562 with Austin's Window Cleaning, which changes ownership of the business from Charles "Austin" and Monica DenHerder as sellers to Laura and Matt Cozza as buyers. It also amends the Scope of Work to include cleaning all windows at the Skagit County Courthouse once a year. There is no additional compensation for services. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20090123)**
10. Resolution awarding the bid for the Skagit County Commissioners Administrative Audio/Visual Project to Dimensional Communications, Inc. for the low bid of \$158,449.17 (plus applicable sales tax). **(Resolution No. R20090322)**
11. Standard Form of Agreement with Dimensional Communications, Inc. for the Audio/Visual Project located at the Skagit County Commissioners Administrative Building. The Contractor submitted the lowest bid of \$158,449.17. The agreement shall commence upon the date of signature and continue until the project is accepted. **(Contract No. C20090475)**

e) FAIRGROUNDS:

12. Vendor Services Agreement with Grand Event Rentals to install and take

down canopies for the 2009 Skagit County Fair. The agreement shall commence on August 7, 2009, and continue through August 17, 2009. Compensation is not to exceed a total of \$10,405. **(Contract No. C20090476)**

13. Personal Services Agreement with Professional Western Rodeo Association to make payment to the winner of each rodeo event at the 2009 Skagit County Fair. The agreement shall commence on August 14, 2009, and continue through August 15, 2009. Compensation is not to exceed a total of \$5,800. **(Contract No. C20090477)**

14. Amendment No. 1 to Personal Services Agreement No. C20080630 with Backman Marketing, Inc. to provide added services in connection with the 2009 Skagit County Fair. Additional compensation in the amount of \$1,000 is added for a new contract total not to exceed \$1,000. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20090124)**

f) GEOGRAPHIC INFORMATION SERVICES:

15. Interlocal Cooperative Agreement, per Resolution No. R20050377, between Skagit County and the Town of La Conner to provide geographic services on a per project basis. The agreement shall commence upon the date of execution and continue through December 31, 2012. **(Contract No. C20090478)**

g) HUMAN SERVICES:

16. Personal Services Agreement with Chinook Enterprises for continuance of pre-vocational services, which will assist clients to develop informed choices as they strive for integrated employment and community contribution. The agreement shall commence upon the date of execution and continue through June 30, 2010. These services are funded by the Washington State Department of Social and Health Services - Division of Developmental Disabilities for the 2009-2010 biennium in the amount of \$144,000. **(Contract No. C20090479)**

17. Personal Services Agreement with Skagit Preschool & Resource Center (SPARC) through their Parent to Parent Program to provide support services for developmentally disabled clients from birth to three years of age. The agreement shall commence upon the date of execution and continue through June 30, 2010. Compensation is not to exceed a total of \$21,000. **(Contract No. C20090480)**

h) INFORMATION SERVICES:

18. Amendment No. 3 to True Automation Master License and Services Agreement No. C20070372, which provides the Contractor access to the County network for the specific purpose of coordinating, implementing and supporting the Assessor/Treasurer PACS system. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20090125)**

19. Interlocal Cooperative Agreement between Skagit County and Stevens County, which allows Stevens County to procure the Cascade Software Systems, Inc. Cost Accounting System for Public Works using the Request for Proposal let by Skagit County for the same purpose. The agreement shall commence upon the date of signature and continue through December 31, 2009. **(Contract No. C20090481)**
  20. Amendment No. 1 to Personal Services Agreement No. C20080489 with Code Publishing, Inc., which modifies the Scope of Work to host and provide search capabilities of Skagit County code on the Code Publishing web site. Additional compensation in the amount of \$1,075 is added for a new contract total not to exceed \$4,309. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20090126)**
  21. Amendment No. 4 to Services Agreement No. C20020449 with Cayenta Canada Corporation, a division of Harris Computers, clarifying terms and project schedule changes for completing the Human Resources System. The amendment adds additional compensation in the amount of \$5,000 for travel related expenses for Cayenta employees to complete the project. This brings the new contract total to \$169,500. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20090127)**
- i) MEDIATION & FACILITATION SERVICES:
22. Personal Services Agreement with Volunteers of America Western Washington Dispute Resolution Center of Snohomish and Island Counties to provide curriculum, training materials and two trainers for the Department's 40-hour professional mediation training. The agreement shall commence on November 2, 2009, and conclude on November 6, 2009. The net revenue generated by this training will be split equally between the Contractor and the County. **(Contract No. C20090482)**
- j) PARKS & RECREATION:
23. Resolution amending Resolution No. R20080296 and rescinding Resolution No. R20080379 regarding the Revolving Fund for the Skagit County Fair. Resolution No. R20080296 shall be amended to authorize the Skagit County Fair Premium Revolving Checking Account to remain active year round to responsibly account for all outstanding premium checks. Prior to July 15th of each year, this revolving checking account will be reimbursed by appropriate vouchering procedures up to \$40,000 by a warrant drawn on Skagit County Fair Fund #106 to cover premium checks and the daily operations of each year's upcoming Skagit County Fair. **(Resolution No. R20090323)**
- k) PUBLIC WORKS DEPARTMENT:
24. Resolution calling for a public hearing to consider the sale of surplus vehicles and other equipment. The hearing will be held on Tuesday, August 18, 2009, at 10:00 a.m. **(Resolution No. R20090324)**
  25. Resolution establishing Higgins Airport Way #31150 as a County Road.

**(Resolution No. R20090325)**

26. Resolution calling for a public hearing to review comments to the proposed Special Assessment Roll, Rates and Charges for Skagit County Lake Management District No. 2 for Lake McMurray. The hearing will be held on Tuesday, August 25, 2009, at 9:00 a.m. **(Resolution No. R20090326)**
27. Resolution authorizing the Declaration of Sole Source with People for Puget Sound to perform Task #10: Spartina Survey and Removal, as outlined in the Washington Department of Ecology Grant No. G1000022, which will provide 100% funding in the amount of \$6,200. **(Resolution No. R20090327)**
28. Amendment No. 1 to Interlocal Cooperative Agreement No. C20080179 between Skagit County and the Upper Skagit Indian Tribe, which increases compensation by \$325,000 for a new contract total not to exceed \$357,500 for the Hansen Creek Alluvial Fan and Wetland Restoration Project. The County will provide \$250,000 from REET funds and Fund 402 will provide \$75,000 for in-kind services in the form of materials and hauling. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20090128)**
29. Temporary Construction Easement between Skagit County and the Upper Skagit Indian Tribe, which grants the Tribe and their contractor access to allow construction of the Hansen Creek Alluvial Fan and Wetland Restoration Project located on the County-owned Northern State Recreation Area. The agreement commenced on March 1, 2009, and shall continue through December 31, 2012. **(Contract No. C20090483)**
30. Temporary Construction Easement between Skagit County and Stephen M. Shubert, which grants the County access through the property of Mr. Shubert for the construction of permanent rock berms along both sides of Pipeline Creek within the easement. The agreement commenced on July 15, 2009, and shall continue through August 31, 2009. **(This item was pulled pending further discussion)**
31. Temporary Construction Easement between Skagit County and Neil A. Hall, which grants the County access through the property of Mr. Hall for the construction of permanent rock berms along both sides of Pipeline Creek within the easement. The agreement commenced on July 15, 2009, and shall continue through August 31, 2009. **(This item was pulled pending further discussion)**
32. Drainage Easement between Skagit County and Jean Guthrie, which grants the County access through the property of Ms. Guthrie on Brigham Lane for the installation, repair and maintenance for storm water discharge and drain lines. The agreement commenced on August 1, 2009, and shall continue through September 15, 2009. **(Contract No. C20090484)**
33. Drainage Easement between Skagit County and Asher and Cindy Cohen, which grants the County access through the property of the Cohen's on Brigham Lane for the installation, repair and maintenance for storm water discharge and drain lines. The agreement commenced on August 1, 2009,

and shall continue through September 15, 2009. **(Contract No. C20090485)**

34. Drainage Easement between Skagit County and Jason and Gennafer Litke, which grants the County access through the property of the Litke's on Brigham Lane for the installation, repair and maintenance for storm water discharge and drain lines. The agreement commenced on August 1, 2009, and shall continue through September 15, 2009. **(Contract No. C20090486)**
35. Amendment No. B to Abbreviated Standard Form of Agreement No. C20070686 and Amendment No. A20080052 with Theisen Architects, which adds an additional \$50,000 in compensation to cover the remainder of costs to complete Phase 1 of the Guemes Ferry Terminal Facility. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20090129)**

l) RECORDS MANAGEMENT:

36. Vendor Services Agreement with Sound Shredding & Recycling for on-site shredding and disposal services. The agreement commenced on August 1, 2009, and shall continue until August 1, 2010. Compensation is not to exceed a total of \$7,000. **(Contract No. C20090487)**

IV. CONTRACT RATIFICATIONS (Items 37 through 48):

m) HEALTH DEPARTMENT:

37. Resolution ratifying an Interlocal Cooperative Agreement between Skagit County and Skagit County Public Hospital District No. 1, aka Skagit Valley Hospital, for the Quality Improvement Project that commenced on October 1, 2008. During contract language negotiations, several of the agencies involved with the project experienced staff reductions due to budget shortfalls. The Scope of Work could not be finalized until staff assignments were determined. **(Resolution No. R20090328)**
38. Interlocal Cooperative Agreement between Skagit County and Skagit County Public Hospital District No. 1, aka Skagit Valley Hospital, to provide funding for a Quality Improvement Project to improve performance in chronic disease prevention. Funding in the amount of \$24,000 was awarded via Washington State Department of Health Consolidated Contract #14962. The agreement commenced on October 1, 2008, and shall continue through April 14, 2011. **(Contract No. C20090488)**

n) PARKS & RECREATION:

39. Resolution ratifying a Vendor Services Agreement with Aqua Technex, LLC for removal of the bottom barrier at Clear Lake Beach Park. It was necessary to hire the services of commercial divers to perform the removal prior to the execution of the contract in order to maintain public health safety. **(Resolution No. R20090329)**

40. Vendor Services Agreement with Aqua Technex, LLC for removal of the bottom barrier material at Clear Lake Beach Park. The agreement commenced on June 22, 2009, and shall continue through June 21, 2010. Compensation shall not exceed a total of \$2,000. **(Contract No. C20090489)**

o) PROSECUTING ATTORNEY:

41. Resolution ratifying a Grant Agreement between Skagit County and the Washington State Department of Community, Trade and Economic Development, Office of Crime Victims Advocacy, for funding to support a part-time victim/witness advocate. The Victim/Witness Assistance Grant was not received by the Prosecuting Attorney's Office until July 9, 2009. **(Resolution No. R20090330)**
42. Victim/Witness Assistance Grant between Skagit County and the Washington State Department of Community, Trade and Economic Development, Office of Crime Victims Advocacy, which awards funding in the amount of \$35,042 to support a part-time victim/witness advocate. The agreement commenced on July 1, 2009, and shall continue through June 30, 2010. **(Contract No. C20090490)**

p) PUBLIC WORKS DEPARTMENT:

43. Resolution ratifying a Coastal Zone Management Grant Agreement between Skagit County and the Washington State Department of Ecology, which will provide 100% funding for the Marine Resources Committee's administration and action projects over the next two years. The agreement became effective on July 1, 2009; however due to the time required to fully execute the Ecology grant and the need to begin work as soon as possible, it was necessary to obtain authorization from the Department of Ecology. **(Resolution No. R20090331)**
44. Coastal Zone Management Grant Agreement between Skagit County and the Washington State Department of Ecology, which will provide \$240,000 for the Marine Resources Committee administration, marine focused research, restoration, protection and education projects over the next two years. The agreement commenced on July 1, 2009, and shall continue through June 30, 2011. **(Contract No. C20090491)**

q) YOUTH & FAMILY SERVICES:

45. Resolution ratifying a County Program Agreement between Skagit County and the Washington State Department of Social and Health Services (DSHS) for continuation of services for several contracts. DSHS experienced administrative delays in drafting a contract covering specified services. **(Resolution No. R20090332)**
46. County Program Agreement between Skagit County and the Washington State Department of Social and Health Services for the continuation of the following: Consolidated Services Contract No. C20080074, Disposition

Alternatives Contract No. C20080076 and Various Services Contract No. C20080075. The agreement commenced on July 1, 2009, and shall continue through June 30, 2010. This is a Fee-for-Service arrangement. **(Contract No. C20090492)**

47. Resolution ratifying a Justice Assistance Grant Agreement between Skagit County and the Washington State Department of Community, Trade and Economic Development (CTED) with special emphasis targeting the Gang Crime Program. The grant application review process of CTED required a significant amount of time, which delayed the completion of the agreement. **(Resolution No. R20090333)**
48. Justice Assistance Grant Agreement between Skagit County and the Washington State Department of Community, Trade and Economic Development (CTED). The agreement provides U. S. Department of Justice, Bureau of Justice Assistance funding in the amount of \$67,778 to units of local government to recover or retain criminal justice related jobs or to improve the operations of the criminal justice program. This will allow the County to fund Skagit Exit Strategies, a gang intervention and prevention program. The agreement commenced on July 1, 2009, and shall continue through June 30, 2010. **(Contract No. C20090493)**

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) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$79,643.20 (Transmittal No. C-95-09); and
  - b) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$58,800.71 (Transmittal No. C-96-09); and
  - c) Warrants numbered 301984 through 302497 from Clearing Fund 696 in the total dollar amount of \$2,084,341.16 (Transmittal No. C-97-09); and
  - d) ACH Transfer Request Form and Certification to Xpress Flex from Clearing Fund 696 in the total dollar amount of \$429.00 (Transmittal No. C-98-09); and
  - e) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$104,896.58 (Transmittal No. C-99-09); and
  - f) Warrants numbered 302498 through 302882 from Clearing Fund 696 in the total dollar amount of \$1,431,470.27 (Transmittal No. C-100-09); and



- g) Payroll warrants numbered 248957 through 249738 in the total dollar amount of \$1,190,865.21 (Transmittal No. P-27-09); and
- h) Payroll warrants numbered 984545 through 984729 in the total dollar amount of \$270,539.64 (Transmittal No. P-28-09); and
- i) Payroll warrant number 249739 in the total dollar amount of \$224.86 (Transmittal No. P-29-09); and
- j) Payroll warrant number 249740 in the total dollar amount of \$358.91 (Transmittal No. P-30-09).

VI. ADJOURNMENT:

Chairman Dahlstedt adjourned the proceedings at 11:07 a.m.

**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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Linda Hammons, Clerk of the Board  
Skagit County Board of Commissioners