

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
TUESDAY, SEPTEMBER 8, 2009**

The Skagit County Board of Commissioners met in regular session on Tuesday, September 8, 2009, with Commissioners Kenneth A. Dahlstedt, Sharon D. Dillon, and Ron Wesen present.

I. CALL TO ORDER:

Chairman Dahlstedt called the proceedings to order at 9:32 a.m.

II. PLEDGE OF ALLEGIANCE:

Chairman Dahlstedt led the gallery in the salute to the flag.

III. AGENDA:

- a) *8:00 a.m. - 9:30 a.m. Briefing - County Commissioners/Administrator
- b) 9:30 a.m. - 10:30 a.m. Planning and Development Services Department - Gary Christensen, Director

Gary Christensen briefed the Board on the four items up for discussion, explained that there were no miscellaneous items to discuss, and introduced Marge Swint to discuss item No. 1.

- 1. Discussion/Possible Action - Set Date and Time for a Closed Public Meeting for the Final Plat Approval of the Revised Plat of Lekcinton Acres (PL08-0330)

Marge Swint briefed the Board on the closed record public hearing scheduled for Tuesday, September 15, 2009, at 11:45 a.m. for final plat approval of the Revised Plat of Lekcinton Acres (PL08-0330). The plat was revised to remove the building envelopes on the residential lots as shown on the previously recorded plat.

The Commissioners did not have any questions.

A motion was made by Commissioner Dillon to approve setting the closed record public meeting for final plat approval of the Revised Plat of Lekcinton Acres (PL08-0330) for Tuesday, September 15, 2009, at 11:45 a.m. Commissioner Wesen seconded the motion, which passed unanimously.

- 2. Discussion/Possible Action - Planning Commission's Recorded Motion on Proposed Amendments to Skagit County Code Title 14

Carly Ruacho briefed the Board on the status of the Miscellaneous Code

Amendments. A public hearing was held on June 30, 2009 regarding these amendments. The majority of the amendments are non-controversial. There are 119 total amendments. They have been divided into two groups, phase I and phase II. Phase I consists of 100 amendments (99 received no comment and 1 received one comment). Phase II consists of 19 amendments which received comments and are being worked on with stakeholders. The Planning Commission met on June 30, 2009, and voted to approve the 100 Code Amendments of Phase I. Of the 7 members present, 6 voted in favor and 1 abstained (however, no reason given).

Of the 19 Amendments in phase II, 16 are almost ready for approval.

The majority of these amendments are "housekeeping" items. About 6 of the 119 amendments received the most comment and are being worked on with the stakeholders.

Ms. Ruacho requested the Commissioners make a motion to direct the Planning Department prepare an Ordinance to adopt the 100 Miscellaneous Code Amendments which would be presented to them next week for signature.

A motion was made by Commissioner Wesen to approve that the Planning Department prepare an ordinance adopting the Miscellaneous Code Amendments (Phase I) as recommended by the Planning Commission. Commissioner Dillon seconded the motion, which passed unanimously.

3. Discussion - Skagit County/SICBA (Skagit-Island Counties Builders Association) Co-Sponsored Green Building Seminar

Tim DeVries briefed the Board on upcoming "Green Building" seminars being co-sponsored by SICBA (Skagit-Island Counties Builders Association) and Skagit County. The first seminar is on Thursday, September 10, 2009, at 3:00 p.m. and the second seminar is on Monday, September 14, 2009, at 3:30 p.m. The seminars are free and open to the public.

4. Discussion - Department's Relocation to Continental Building, Timelines, Hours of Operation, Office Closure

Tim DeVries briefed the Board on Planning and Development's upcoming relocation to 1800 Continental Place. Planning and Development Services will be closed on Friday, September 25, 2009, and, Monday, September 28, 2009, in order to finish taking down their network and re-hooking it back up. The Department will re-open on Tuesday, September 29, 2009 at their new space at 1800 Continental Place. They are looking forward to serving the public more effectively in the new space.

Chairman Dahlstedt recessed the proceedings at 10:03 a.m.

5. Miscellaneous

There were no miscellaneous items to discuss.

c) 10:30 a.m. - 11:00 a.m. Recognition of Assessor Mark Leander's Retirement

Chairman Dahlstedt reconvened the proceedings at 10:32 a.m.

The Commissioners presented a Certificate of Commendation in Recognition of Dedicated Public Service Rendered on Behalf of the People, the Community, and the Public Interest, Faithfully and Unselfishly by Mark Leander, Assessor, from October 3, 1986 to August 31, 2009 while employed by Skagit County.

All three Commissioners thanked Mark Leander for his service and wished him well in his retirement.

Mark Leander thanked everyone for their support.

Chairman Dahlstedt recessed the proceedings at 10:48 a.m.

d) 11:00 a.m. - 11:30 a.m. Consent Agenda and Miscellaneous Items

Chairman Dahlstedt reconvened the proceedings at 11:02 a.m. There were no questions on the Consent Agenda Items or the Contract Ratification Items.

e) 11:30 a.m. - 11:45 a.m. Public Comment Period

Chairman Dahlstedt reconvened the proceedings at 11:31 a.m.

Chairman Dahlstedt opened the public hearing at 11:31 a.m.

Present for public comment was David Wilder who was representing People First and the Parent Coalition. Mr. Wilder informed the Board on the 12th Annual Legislative Reception which will be held at Skagit Valley College on Wednesday, September 23, 2009, to discuss the current state of services to people with disabilities. The event starts at 5:30 p.m. and will be located in the multi-purpose room behind the cafeteria.

Mr. Wilder informed the Commissioners that this function was important for many in the community who are not able to attend conferences in Olympia due to transportation issues.

Commissioner Dillon thanked Mr. Wilder and People First for the services they provided for the community. Commissioner Wesen thanked Mr. Wilder and was looking forward to September 23rd.

Chairman Dahlstedt wanted to know which State Representative's have confirmed their attendance. Mr. Wilder stated that Representative Jeff Morris was attending and speaking and that Senator Mary Margaret Haugen always attended.

Contact information for those with further questions can contact Mr. Wilder at: 360-428-0140 or can email him at davidwilder02@yahoo.com.

Chairman Dahlstedt encouraged people to attend and support the event.

Chairman Dahlstedt adjourned the proceedings at 11:48 a.m.

f) *3:00 p.m. - 4:00 p.m. Executive Session (Potential Litigation)

IV. CONSENT AGENDA FOR TUESDAY, SEPTEMBER 8, 2009, (Items 1 through 26):

A motion was made by Commissioner Dillon to approve Consent Agenda items 1 through 26, Ratification Agenda Items 27 - 36, vouchers and warrants for Tuesday, September 8, 2009. Commissioner Wesen seconded the motion, which passed unanimously.

a) COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Monday, August 24, 2009. **(approved)**
2. Record of the Proceedings for Tuesday, August 25, 2009. **(approved)**

b) ASSIGNED COUNSEL:

3. Personal Services Agreement with Jon Ostlund, Attorney at Law to provide legal representation to indigent defendants referred by the Office of Assigned Counsel. These are cases that would be deemed as a conflict of interest for the Public Defender's Office. The Agreement shall commence on September 14, 2009, and shall continue through December 31, 2010. Compensation shall not exceed a total of \$75,000. **(Contract No. C20090540)**

c) CONSERVATION FUTURES:

4. Resolution appointing Nate Youngquist to the Agricultural Advisory Board representing Commissioner District 1. His term will expire December 31, 2010. **(Resolution No. R20090365)**

d) DEPARTMENT OF EMERGENCY MANAGEMENT:

5. Resolution designating applicant agent, Daniel Cain, and alternative applicant agent, Mark Watkinson, for the State of Washington Hazard Mitigation Grant Program for obtaining and administering a Federal Emergency Management Agency Mitigation grant. **(Resolution No. R20090366)**

e) GEOGRAPHIC INFORMATION SERVICE:

6. Interlocal Agreement, per R20070229, with Public Utility District No. 1 of Skagit County for sharing the cost of Pictometry aerial imagery and software. The Agreement shall commence upon the date of execution and continue for two years. Public Utility District No. 1 of Skagit County will pay Skagit County \$12,000. **(Contract No. C20090541)**

7. Addendum No. 2 to the License Agreement with Pictometry International Corporation, No. C20070069. The addendum makes it possible to refly the community level area, at no additional cost, between the months of August and September 2009. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20090141)**

f) HUMAN SERVICES:

8. Amendment No. 1 to original Personal Services Agreement C20090408 with Phoenix Recovery Services to modify services and add compensation for office space for Human Services staff. This Amendment decreases compensation by \$37,500 for a new maximum contract amount not to exceed \$52,500. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20090142)**
9. Amendment No. 6 to DSHS - Division of Alcohol & Substance Abuse Original Contract No. C20070464, to increase the contract amount by \$95,000 for additional Grant-In Aid and CJTA Funding. The new contract total shall not exceed \$6,477,098. All other terms and conditions of the original contract, and Amendments No. 1 - 5 shall remain in effect. **(Amendment No. A20090143)**
10. Personal Services Agreement with Jonathan Vander Schuur to provide mental health treatment services to clients participating in the Community Wellness Program. The Agreement shall commence upon the date of execution, and shall continue through December 31, 2010. Compensation shall not exceed a total of \$10,000. **(Contract No. C20090542)**

g) PLANNING & DEVELOPING SERVICES:

11. Ordinance adopting the Skagit County Urban Growth Area Open Space Concept Plan. **(Ordinance No. O20090009)**

h) PUBLIC WORKS DEPARTMENT:

12. Resolution calling for a public hearing to consider revision No. 4 to the 2009 - 2014 Six-Year Transportation Improvement Program (TIP). The hearing is scheduled to take place on September 22, 2009, at 9:00 a.m. **(Resolution No. R20090367)**
13. Resolution and Notice of Call to update the Vendor Lists for Rental Equipment and Maintenance Materials as required by RCW 39.04.190. **(Resolution No. R20090368)**
14. Resolution awarding bid for As-Needed Hydraulic Maintenance & Repair Services to: Industrial Power Supply Inc. d/b/a Skagit Hydraulics for a two-year term. Compensation shall not exceed a total of \$100,000. **(Resolution No. R20090369)**
15. Amendment to Resolution R20080139 to appoint two new members to the Skagit County Marine Resources Committee and to update the names and

representation of three existing members. **(Resolution No. R20090370)**

16. Vendor Services Agreement with T. Taylor Services, Inc. to provide field mowing services at the closed Gibraltar, Inman, and Sauk Landfills for one year with an option for a second year. The Agreement shall commence on September 15, 2009, and shall continue through September 14, 2010. Compensation shall not exceed a total of \$10,000. **(Contract No. C20090543)**
17. Amendment No. 3 to Joint Funding Agreement No. C20060264 with the U.S. Department of Interior - Geological Survey (USGS), to extend the date of the agreement from September 30, 2009 to January 31, 2010 to allow the Geological Survey additional time to complete the study of potential effects of increased ground-water withdrawals on stream flows in the Lower Skagit River Basin, which has been delayed due to the unanticipated complexity of the groundwater surface water system. The funding contribution by USGS and Skagit County is unchanged. All other terms and conditions of the original Agreement remain unchanged. **(Amendment No. A20090144)**
18. Amendment No. 1 to Vendor Services Agreement No. C20090507 with Culbertson Marine Construction, Inc. for the temporary emergency repairs of the Anacortes Ferry Breakwater Wall. This amendment increases compensation by \$7,607.82 for a new compensation total not to exceed \$55,587.57. All other terms and conditions in the original Agreement shall remain in effect. **(Amendment No. A20090145)**
19. Supplemental Agreement No. 1 with PND Engineers Inc. to Agreement No. C20070170, to provide funds to continue marine structural engineering services for the Guemes Ferry projects. This Agreement shall continue through December 31, 2010, and adds an additional \$99,000, for a new Agreement total not exceed \$198,000. All other terms and conditions in the original Agreement shall remain in effect. **(Amendment No. A20090146)**
20. Frequency Reconfiguration Agreement with Nextel West Corporation to allow Nextel to pay Skagit County for charges associated with reconfiguring the 800 MHz radio system. The rebanding project was ordered by the Federal Communication Commission "FCC" in 2004. The Agreement shall commence upon the date of execution and continue for one year. Compensation is estimated to be \$74,648, which will be 100% reimbursed from outside sources. **(Contract No. C20090544)**
21. Vendor Services Agreement with Industrial Mowing & Spraying for mowing various banks, margins, and areas within the Sedro-Woolley Sub Flood Control Zone. The Agreement shall commence upon the date of execution and continue until August 1, 2010. Compensation shall not exceed \$9,197. **(Contract No. C20090545)**
22. Personal Service Agreement with Coastal Geologic Services to perform Task 9: North Skagit Bay Drift Cell Analysis, one of eleven tasks in the WA Dept. of Ecology Grant Agreement, G1000022. The Agreement shall commence upon the date of execution and continue until June 30, 2010. Compensation shall not exceed \$26,000. **(Contract No. C20090546)**

23. Interlocal Agreement with the Swinomish Indian Tribal Community to assist the Tribe with monitoring and certifying paperwork for the Tribe's Roundabout Extension Project. The Agreement shall commence upon the date of execution and continue until December 31, 2010. Skagit County's expenses will be reimbursed by the Tribe. **(Contract No. C20090547)**
24. Temporary Construction Easement Agreement with Rudolf & Louise Schaffer to plant and fence in relation to the Natural Resource Stewardship Program. The Agreement shall commence upon the date of execution and continue until August 28, 2019. **(Contract No. C20090548)**
25. Temporary Construction Easement Agreement with Marie & Patrick White to plant and fence in relation to the Natural Resource Stewardship Program. The Agreement shall commence upon the date of execution and continue until August 28, 2019. **(Contract No. C20090549)**

i) TREASURER DEPARTMENT:

26. Resolution to cancel a list of warrants per RCW 36.22.100 from fund 69696 in the amount of \$19,385.31. **(Resolution No. R20090371)**

V. CONTRACT RATIFICATIONS (Items 27 through 36):

j) BUDGET & FINANCE:

27. Resolution ratifying a Contract with Skagit County Community Action Agency, Oasis Teen Shelter, Skagit Domestic Violence and Sexual Assault Services, The Friendship House and Anacortes Community Shelter Project to authorize the execution of funding agreements to provide services to low-income residents of Skagit County. The signed Funding Agreement was not received prior to the commencement of the services. **(Resolution No. R20090372)**
28. Funding Agreement with Skagit County Community Action Agency, which awarded \$32,139 (\$21,683 Shelter Support, \$10,456 Rental Assistance) of low-income housing funds. The Agreement commenced on June 27, 2009, and shall continue through June 26, 2010. **(Contract No. C20090550)**
29. Funding Agreement with the Oasis Teen Shelter. The agreement awards \$16,000 of low-income housing funds to pay for operational expenses. The Agreement commenced on June 27, 2009, and shall continue through June 26, 2010. **(Contract No. C20090551)**
30. Funding Agreement with the Friendship House. The agreement awards \$15,000 of low-income housing funds to pay for operational expenses. The Agreement commenced on June 27, 2009, and shall continue through June 26, 2010. **(Contract No. C20090552)**

k) CONSERVATION FUTURES:

31. Resolution ratifying an Interlocal Agreement with Skagit Conservation District for projects relating to Title III. Funding. The contract took longer than expected due to the routing and required signatures of all parties. **(Resolution No. R20090373)**
32. Interlocal Agreement with Skagit Conservation District for projects relating to Title III. Funding. Skagit County will reimburse the contractor for assistance in meeting Title III. Funding priorities throughout the implementation of the countywide Community Wildfire Protection Plan and Firewise Communities/USA Program. The Agreement commenced on August 17, 2009, and shall continue through August 31, 2010. Compensation shall not exceed a total of \$108,406. **(Contract No. C20090553)**

l) PEST CONTROL:

33. Resolution ratifying a Vendor Services Agreement with Eager Beaver Tree Service, Inc. to pay Eager Beaver Tree Service for work that needed to be performed due to intense apple maggot infestation and threat to a nearby orchards. **(Resolution No. R20090374)**
34. Vendor Services Agreement with Eager Beaver Tree Service, Inc. to remove infested trees near an apple orchard which were infested with apple maggots and threatened nearby apple orchards. Compensation shall not exceed a total of \$2,300. **(Contract No. C20090554)**

m) SHERIFF'S OFFICE:

35. Resolution ratifying an Interlocal Agreement with Washington State Association of Counties Financial Services Corporation which allows for the participation in the County Inmate Program to reduce the cost of providing inmate health care. A signed Interlocal Agreement was recently received from FSC because it was only just discovered that the original agreement did not include an automatic renewal clause. **(Resolution No. R20090375)**
36. Interlocal Agreement with Washington State Association of Counties Financial Services Corporation which allows for the participation in the County Inmate Program to reduce the cost of providing inmate health care, which commenced on May 1, 2009. **(Contract No. C20090555)**

VI. ADJOURNMENT:

Chairman Dahlstedt adjourned the proceedings at 11:48 a.m.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Kenneth A. Dahlstedt, Chairman

Sharon D. Dillon, Commissioner

Ron Wesen, Commissioner

ATTEST:

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