

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, OCTOBER 5, 2009**

The Skagit County Board of Commissioners met in regular session on Monday, October 5, 2009, with Commissioners Sharon D. Dillon, and Ron Wesen present.

I. CALL TO ORDER:

Commissioner Dillon called the proceedings to order at 1:30 p.m. Chairman Dahlstedt's absence was excused.

II. PLEDGE OF ALLEGIANCE:

Commissioner Dillon led the gallery in the salute to the flag.

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)
- d) 4:00 p.m. - 4:30 p.m. Proclamation - 4-H Week

Chairman Dahlstedt was present for this agenda item and he reconvened the proceedings at 4:00 p.m.

The Commissioners heard comments from community members who are involved with, appreciate, and support the Skagit County 4-H Clubs.

The Commissioners appreciate and support the 4-H Clubs. 4-H is a wonderful asset to the community and is invaluable to our youth.

Commissioner Wesen read the Proclamation designating October 4 through October 10, 2009, as 4-H Week in Skagit County.

IV. CONSENT AGENDA (Items 1 through 11):

A motion was made by Commissioner Wesen to approve the Consent Agenda Items 1 through 10, Ratification Agenda Items 12 through 23, vouchers and warrants for Monday, October 5, 2009. Item #11 was pulled, pending further discussion. Commissioner Dillon seconded the motion, which passed unanimously.

a) COMMISSIONERS' OFFICE:

- 1. Record of the Proceedings for Monday, September 28, 2009. **(Approved)**

2. Record of the Proceedings for Tuesday, September 29, 2009. **(Approved)**

b) BUDGET & FINANCE:

3. Resolution authorizing the call for a public hearing regarding amending the 2009 Skagit County Budget. The hearing is scheduled to take place on Tuesday, October 20, 2009, at 9:00 a.m. **(Resolution No. R20090408)**

c) FACILITIES:

4. Resolution awarding Bid for the Skagit County Jail Fall Protection Project at 600 S 3rd Street to the lowest bidder which met the qualifications: Faber Brothers Construction of Lynden, WA. The Municipal Research and Services Center of Washington's Small Works Roster was used for Bid Invitations (MRSC). Two bids were received from: Faber Brothers Construction \$9,918.00 plus applicable sales tax and from Dimock Construction LLC \$19,226.70 plus applicable sales tax. 62 feet of fall protection rail will be constructed. The Contract shall commence upon the date of execution. Compensation shall not exceed a total of \$9,918.00 plus applicable sales tax. **(Resolution No. R20090409)**

d) HUMAN SERVICES:

5. Resolution appointing Robyn Choffel to the Skagit County Substance Abuse Advisory Board. Ms. Choffel will serve a three-year term, which will expire November 30, 2012. **(Resolution No. R20090410)**

e) PLANNING & DEVELOPING SERVICES:

6. Interlocal Agreement with Oregon State University. OR State University will coordinate and perform technical work in support of the Skagit Alternative Futures Project which is funded by a Grant from the US Environmental Protection Agency. The Agreement shall commence upon the date of execution, and shall continue through December 31, 2010. Compensation shall not exceed a total of \$95,688. **(Contract No. C20090581)**

f) PROSECUTING ATTORNEY:

7. Annual Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions, related to a contract with Division of Social & Health Services to provide legal services on behalf of the Division of Child Support, DSHS, through the Family Support Division of the Prosecuting Attorney's Office. No start or end dates specified. Compensation unspecified. **(Amendment No. A20090172)**

g) PUBLIC WORKS DEPARTMENT:

8. Resolution calling for a public hearing regarding the sale or disposal of County surplus property consisting of used furniture, tools, parts, and small equipment. The hearing is scheduled to take place on Monday, October 26,

2009, at 10:00 a.m. **(Resolution No. R20090411)**

9. Amendment No. 1 to Vendor Services Agreement No. C20090262 with Cemex Pacific Holdings, LLC to cover additional maintenance material needed. This Amendment adds an additional \$500,000, for a new contract total not to exceed \$1,000,000. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20090173)**
10. Supplemental Agreement No. 1 to Local Agency Standard Consultant Agreement C20090506 between Skagit County & Certified Land Services. Supplemental Agreement No. 1 will allow for right-of-way services on one (1) additional parcel which was added for acquisition on the Francis Road Curve Realignment & Reconstruction Project. The Contract shall commence upon the date of execution, and shall continue through July 15, 2010. Compensation is increased by \$1,700, for a new total which shall not exceed a total of \$36,764.00. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20090174)**
11. Interlocal Agreement between Skagit County and Skagit Transit System (a/k/a Skagit Transit Authority /SKAT) to memorialize the understanding regarding the usage of the transit base site. The Contract shall commence upon the date of execution, and continue for thirty (30) years. **(This item was pulled pending further discussion)**

V. CONTRACT RATIFICATIONS (Items 12 through 23):

h) FACILITIES:

12. Ratification Resolution Authorizing Execution of a Building Lease Agreement with Skagit County Community Action Agency. The signed building lease was not received prior to the commencement of the building lease agreement. **(Resolution No. R20090412)**
13. Building Lease Agreement between Skagit County (Lessor) & Skagit County Community Action Agency (Lessee) to lease the premises located at 2221 Riverside Drive, Mount Vernon, WA, commonly known as the Mount Vernon Family Resource Center Annex. The Agreement shall commence on September 1, 2009, and shall continue until terminated by either party (by giving at least sixty (60) days written notice of intent to terminate). Compensation from Skagit County Community Action Agency will be \$2,400 per month. **(Contract No. C20090582)**

i) HUMAN SERVICES:

14. Ratification Resolution Authorizing Execution of a Personal Services agreement with Phoenix Recovery Services. The Agreement was not signed by all parties before taking effect on October 1, 2009. **(Resolution No. R20090413)**
15. Personal Services Agreement with Phoenix Recovery Services who will provide substance abuse treatment to adults and youth in Skagit County. The Agreement shall commence on October 1, 2009, and shall continue through

June 30, 2010. Compensation shall not exceed a total of \$360,000.
(Contract No. C20090583)

j) NATURAL RESOURCES/CONSERVATION FUTURES:

16. Ratification Resolution Authorizing Execution of Amendment No. 1 to Interlocal Agreement C20090553 between Skagit County and Skagit Conservation District. The Amendment changes the start date to August 1, 2009 since Community Firewise planning began in August for the Hoxie Lane and Parkside communities in Anacortes and the Cedar Grove community in Concrete for the upcoming fire season. **(Resolution No. R20090414)**
17. Amendment No. 1 to Interlocal Agreement C20090553 between Skagit County and Skagit Conservation District which meets Title III funding priorities for Community Wildfire Protection Plan & Firewise Communities/USA Program. This Amendment No. 1 changes the start date of the contract to August 1, 2009 and adds information regarding federal funding: that this project is funded by federal funds through the US Wildfire Protection Plan, and Firewise Communities/USA Program, enacted through Title I, Section 102 of Public Law 106-393 in the year 2000. The Amendment to the Agreement shall commence on August 1, 2009, and shall continue through August 31, 2010. Compensation is unchanged and remains at \$33,008. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20090175)**

k) PUBLIC WORKS DEPARTMENT:

18. Ratification Resolution of Phase II Stormwater Pass-Through Grant Agreement No. G100204 between the State of Washington Department of Ecology and Skagit County. The Department of Ecology determined the effective start date of this agreement to be July 1, 2009, in order for Skagit County to take advantage of this funding and work being performed since July 1, 2009. **(Resolution No. R20090415)**
19. Grant Agreement between the State of Washington Department of Ecology and Skagit County for FY 2010-2011 Phase II Stormwater Pass-Through Grants Program (G1000204). The Agreement shall commence on July 1, 2009, and shall continue through June 30, 2011. Compensation is 100% funded by Washington State Department of Ecology for a total of \$50,000. **(Contract No. C20090584)**
20. Ratification Resolution Authorizing Execution of Joint Funding Agreement with the U.S. Department of the Interior Geological Survey. The start date of the contract was set for October 1, 2009, but it was not able to be presented to the Commissioners until October 5, 2009. **(Resolution No. R20090416)**
21. Joint Funding Agreement between the U.S. Department of the Interior U.S. Geological Survey and Skagit County to operate and maintain the Skagit River Basin gauging station network. The Agreement shall commence upon October 1, 2009, and shall continue through September 30, 2010. Skagit

County's total fixed cost of \$45,100 is not to exceed total compensation of \$33,890. **(Contract No. C20090585)**

I) YOUTH AND FAMILY SERVICES:

22. Ratification Resolution of Amendment No. 1 to Personal Services Agreement No. C20090065 with Skagit Recovery Center. There was a delay Juvenile Rehabilitation Administration experienced in the delivery of the Fiscal Year 2009/2010 fee scheduled upon which this amendment is based and the documents were not received in time to fully execute the amendment prior to July 1, 2009. **(Resolution No. R20090417)**
23. Amendment No. 1 to Personal Services Agreement No. C20090065 with Skagit Recovery Center. Compensation Exhibits are being changed and updated, and, a new Exhibit entitled "Chemical Dependency Disposition Alternative (CDDA) Minimum Program Requirements" is being added. Compensation remains the same: not to exceed a total of \$10,000. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20090176)**

VI. 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 \$83,210.20 (Transmittal No. C-126-09); and
 - b) Warrants numbered 305843 through 306298 from Clearing Fund 696 in the total dollar amount of \$2,029,848.89 (Transmittal No. C-127-09); and

VII. ADJOURNMENT:

Chairman Dahlstedt adjourned the proceedings at 4:42 p.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**