

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, DECEMBER 7, 2009**

The Skagit County Board of Commissioners met in regular session on Monday, December 7, 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 1:30 p.m.

II. PLEDGE OF ALLEGIANCE:

Chairman Dahlstedt 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

A motion was made by Commissioner Dillon to approve the Consent Agenda items 1 through 44, Ratification Agenda items 45 through 58, vouchers and warrants for Monday, December 7, 2009. Commissioner Wesen seconded the motion, which passed unanimously.

- c) *2:00 p.m. - 4:00 p.m. Executive Session (Potential Litigation)

IV. CONSENT AGENDA (Items 1 through 44):

a) COMMISSIONERS' OFFICE:

- 1. Record of the Proceedings for Monday, November 23, 2009. **(Approved)**
- 2. Record of the Proceedings for Tuesday, November 24, 2009. **(Approved)**

b) AUDITOR:

- 3. Amendment No. 2 to original Agreement No. C20080130 with U.S. Archive and Imaging Services for a film conversion project funded through Centennial Document Preservation. This Amendment adds an additional \$60,000 to continue under the existing scope of work. The new contract total shall not exceed \$120,000. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20090195)**

c) BUDGET & FINANCE:

- 4. Interlocal Cooperative Agreement for Library Services with the City of

Anacortes to purchase collection and circulation materials for the benefit of County residents. The term of this Agreement shall commence upon the date of execution, and shall continue until December 31, 2009. Compensation shall not exceed a total of \$14,473. **(Contract No. C20090660)**

5. Interlocal Cooperative Agreement for Library Services with the City of Burlington to assist in providing services to the citizens of unincorporated Skagit County. The term of this Agreement shall commence upon the date of execution, and shall continue until December 31, 2009. Compensation shall not exceed a total of \$8,947. **(Contract No. C20090661)**
6. Interlocal Cooperative Agreement for Library Services with the City of Mount Vernon to assist in providing services to the citizens of unincorporated Skagit County. The term of this Agreement shall commence upon the date of execution, and shall continue until December 31, 2009. Compensation shall not exceed a total of \$17,372. **(Contract No. C20090662)**
7. Interlocal Cooperative Agreement for Library Services with the City of Sedro-Woolley to assist in providing services to the citizens of unincorporated Skagit County. The term of this Agreement shall commence upon the date of execution, and shall continue until December 31, 2009. Compensation shall not exceed a total of \$7,208. **(Contract No. C20090663)**
8. Amendment No. 1 to Interlocal Cooperative Agreement No. C20090440 per Resolution No. R20090178 between Skagit County and the Port of Anacortes to change the start date of the contract from July 20, 2009, to April 20, 2009, and, ends the contract on April 19, 2011. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20090196)**

d) CONSERVATION FUTURES:

9. Resolution appointing Steve Tift to the Forest Advisory Board for the remainder of a three-year term which will expire on January 1, 2012. **(Resolution No. R20090483)**
10. Resolution re-appointing Dave Hedlin to the Conservation Futures Advisory Committee. His term will expire on December 31, 2013. **(Resolution No. R20090484)**
11. Resolution re-appointing members: Murray Benjamin, Greg Lee, Randy Good and Lyle Wesen to the Agricultural Advisory Board. Their terms will expire on December 31, 2012. **(Resolution No. R20090485)**
12. Resolution re-appointing members: Dave Chamberlain, Paul Kriegel, Tom Nelson and Ken Osborn to the Forest Advisory Board. Their terms will expire on December 31, 2012. **(Resolution No. R20090486)**

e) FACILITY MANAGEMENT:

13. Resolution to postpone the bid opening for the addition to the Skagit County

Regional Food Distribution Center in Sedro-Woolley. The bid opening will be re-scheduled from December 14, 2009, to Monday, December 21, 2009, at 2:00 p.m. **(Resolution No. R20090487)**

14. Amendment No. 3 to Personal Services Agreement No. C20090043 with Howard Consulting, LLC to add a new Exhibit "A" Scope of Services and a new Exhibit "B" Compensation. This Amendment adds an additional \$85,000, for a new contract total not to exceed \$124,500. The Agreement will expire on December 31, 2010. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20090197)**

f) HEALTH:

15. Amendment No. 20 to Consolidated Contract No. C20070142 with Washington State Department of Health to provide additional funding for H1N1 Public Health Emergency Preparedness and Response. This Amendment adds an additional \$276,158, for a new contract total not to exceed \$3,210,689. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20090198)**
16. Resolution regarding compensation for the overtime work as related to the H1N1 Swine Flu Emergency. This will allow the Public Health Director to authorize exempt department staff to be compensated for overtime hours worked beyond their usual duties, primarily in mass immunization clinics, in order to protect and preserve public health. This shall be effective from November 1, 2009, through December 31, 2009. **(Resolution No. R20090488)**

g) HUMAN SERVICES:

17. Personal Services Agreement with People 1st of Skagit County to allocate 2010 millage funds towards continuance of recreational and self-advocacy programming for Skagit Citizens with developmental disabilities. The Agreement shall commence upon the date of execution, and shall continue through December 31, 2010. Compensation shall not exceed a total of \$7,000. **(Contract No. C20090664)**
18. Personal Services Agreement with Skagit Preschool and Resource Center (SPARC) to allocate 2010 millage funds towards the Parent Coalition program that provides advocacy, system navigation and training to people with developmental disabilities and their family members or care providers. The Agreement shall commence upon the date of execution, and shall continue through February 8, 2011. Compensation shall not exceed a total of \$23,945. **(Contract No. C20090665)**
19. Resolution establishing a petty cash fund for the Skagit County Human Services Department (Fund 116-02) in the amount of one hundred dollars (\$100) for incidental charges incurred during the provision of field trip and day activities. **(Resolution No. R20090489)**

h) INFORMATION SERVICES:

20. Purchase Reimbursement Agreement with The Washington State Administrative Office of the Courts (AOC) and the Skagit County Clerk's office for the purchase of eleven (11) workstations and monitors. The Agreement shall commence upon the date of execution, and shall continue through April 1, 2010. The Washington State Administrative Office of the Courts (AOC) shall reimburse the County up to \$1,025 for each computer system. **(Contract No. C20090666)**
 21. Purchase Reimbursement Agreement with The Washington State Administrative Office of the Courts (AOC) and the Skagit County Clerk's office for the purchase of two (2) workstations and monitors. The Agreement shall commence upon the date of execution, and shall continue through April 1, 2010. The Washington State Administrative Office of the Courts (AOC) shall reimburse the County up to \$1,025 for each computer system. **(Contract No. C20090667)**
- i) PARKS AND RECREATION:
22. Lease Amendment No. 1 to Original Agreement C20080429 with Gary Knaus to limit hay cutting in 2009 to hay on approximately 60 acres of land, reduced from the original 133 acres of land acknowledged in the original lease due to construction activities taking place on Hansen Creek riparian. Due to the alluvial fan project reducing usable acreage and eliminating second cutting, there will be no charge levied against the LESSEE for the 2009 hay cutting. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20090199)**
- j) PLANNING & DEVELOPMENT SERVICES:
23. Resolution Establishing the 2009 Docket of Comprehensive Plan Land Use/Zoning Map and Policy Amendments. **(Resolution No. R20090490)**
 24. Amendment No. 2 to Personal Services Agreement No. C20070527 with Graham-Bunting & Associates to extend the termination date of the contract to December 31, 2010. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20090200)**
 25. Amendment No. 2 to Personal Services Agreement No. C20080200 with Sehome Planning and Development Services to extend the termination date of the contract to December 31, 2010. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20090201)**
- k) PROSECUTING ATTORNEY:
26. Personal Services Agreement with Skagit Business and Staffing, LLC to provide testing services and on-call general office and clerical assistance. The Agreement shall commence on January 1, 2010, and shall continue through December 31, 2010. Compensation shall not exceed a total of \$5,000. **(Contract No. C20090668)**
- l) PUBLIC WORKS:

27. Resolution to call for bids for rental equipment with expected annual expenditures to exceed \$25,000, such as: excavators, dozers, rollers, sweepers, trench boxes, pumps, etc. The bid opening will be held on Monday, December 28, 2009, at 2:00 p.m. **(Resolution No. R20090491)**
28. Resolution to adopt the 2010 annual construction program for roads, bridges, ferry and corresponding equipment purchases. **(Resolution No. R20090492)**
29. Resolution awarding the bid for on-call mobile marine refueling services for the vehicle and passenger ferry, M/V Guemes to Reisner Distributor, Inc., the lowest responsible and responsive bidder for the amount of \$257,670.40. **(Resolution No. R20090493)**
30. Vendor Services Agreement with Reisner Distributor, Inc. to provide mobile marine refueling services for the vehicle and passenger ferry, M/V Guemes. The Agreement shall commence upon the date of execution, and shall continue for two years. Compensation shall not exceed a total of \$300,000. **(Contract No. C20090669)**
31. Amendment No. 1 to Interlocal Agreement No. C20090491 with Washington State Department of Ecology, changing task 6.5, extending the deadline for task 9, and extending the deadline for task 11. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20090202)**
32. On-call emergency event Vendor Services Agreement with Rhema Electric, LLC to provide for services/products related to Electrical and Utility Contractors. The Agreement shall commence upon the date of execution, and shall continue for no more than one year. Compensation shall not exceed a total of \$100,000. **(Contract No. C20090670)**
33. Vendor Services Agreement with Meyer Sign and Advertising Company to fabricate and install graphics (logos) on County owned vehicles and equipment. The Agreement shall commence upon the date of execution, and shall continue for two years. Compensation shall not exceed a total of \$24,500. **(Contract No. C20090671)**
34. On-call emergency event Vendor Services Agreement with D G Buchanan Construction, Inc. to provide for services/products related to debris removal, heavy equipment services, tree removal/trimming services, dump trucks & excavators. The Agreement shall commence upon the date of execution, and shall continue for no more than one year. Compensation shall not exceed a total of \$100,000. **(Contract No. C20090672)**
35. Supplemental Agreement No. 1 with Shearer Design, LLC to the Local Agency Standard Consultant Agreement C20090306 to add additional engineering services on the professional services contract for Task 7 (Pedestrian Access) and Task 8 (Survey work for the Guemes Island Ferry Dock Repair Project FE40153-1 and the Anacortes Ferry Dock Rehabilitation Project FE40152-5). This Supplemental Agreement adds an additional \$51,904, for a new contract

total not to exceed \$310,641. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20090203)**

36. On-call emergency event Vendor Services Agreement with Trico Contracting Inc. to provide for services/products related to culvert pipe, debris removal, erosion control, pipe/various and sewer/water supply materials. The Agreement shall commence upon the date of execution, and shall continue for no more than one year. Compensation shall not exceed a total of \$100,000. **(Contract No. C20090673)**

m) SENIOR SERVICES:

37. Interlocal Cooperative Agreement with the City of Sedro-Woolley to allow the Skagit County Senior Services Department to provide staff, equipment and materials for the delivery of community based services to the senior citizens of the City of Sedro-Woolley. The Agreement shall commence on January 1, 2010, and shall continue through December 31, 2010. Compensation shall not exceed a total of \$20,441. **(Contract No. C20090674)**
38. Interlocal Cooperative Agreement with the Town of Concrete to allow the Skagit County Senior Services Department to provide staff, equipment and materials for the delivery of community based services to the senior citizens of the Town of Concrete. The Agreement shall commence on January 1, 2010, and shall continue through December 31, 2010. Compensation shall not exceed a total of \$7,639. **(Contract No. C20090675)**
39. Interlocal Cooperative Agreement with the City of Burlington to allow the Skagit County Senior Services Department to provide staff, equipment and materials for the delivery of community based services to the senior citizens of the City of Burlington. The Agreement shall commence on January 1, 2010, and shall continue through December 31, 2010. Compensation shall not exceed a total of \$16,851. **(Contract No. C20090676)**
40. Amendment No. 2 to Vendor Services Agreement No. C20080453 with Rick's Refrigeration to provide repair/replacement of defective parts and preventative maintenance to equipment located at the Senior Services Nutrition sites. This Amendment adds an additional \$3,500, for a new contract total not to exceed \$10,000. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20090204)**

n) SHERIFF:

41. Amendment E to Vendor Services Agreement No. C20040127 with Glow Cleaners to extend the expiration date to December 31, 2010. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20090205)**
42. Amendment No. 2 to Personal Services Agreement No. C20070637 with C. Maxwell, Inc. d/b/a Inslee, Maxwell & Associates to extend the date of the contract to December 31, 2010. This Amendment adds an additional \$85,000, for a new contract total not to exceed \$170,000. All other terms

and conditions of the original Agreement shall remain in effect.
(Amendment No. A20090206)

43. Amendment No. 4 to Agreement No. C20060221 with Okanogan County in Washington, which increases the rate to house Skagit County inmates from \$40 per day per inmate to \$51 per day, effective January 1, 2010. All other terms and conditions of the original Agreement shall remain in effect.
(Amendment No. A20090207)

o) YOUTH AND FAMILY SERVICES:

44. Personal Services Agreement with Paul Douhan to provide specialized child, adolescent, adult and/or family assessment, evaluations and treatment for juveniles and/or their families as referred by the County and accepted for serves by the contractor. The Agreement shall commence upon January 1, 2010, and shall continue through December 31, 2011. Compensation shall not exceed a total of \$50,000. **(Contract No. C20090677)**

V. CONTRACT RATIFICATIONS (Items 45 through 58):

p) HEALTH:

45. Resolution authorizing the ratification of a Personal Services Agreement with Kulshan Pediatric Dentistry. Signatures were not completely gathered before the Agreement start date, and it was necessary to begin work on the project September 1, 2009 because of time and budget constraints. **(Resolution No. R20090494)**
46. Personal Services Agreement with Kulshan Pediatric Dentistry to allow for the continued provision of sealants within Skagit County schools for eligible 2nd and 3rd grade students. The Agreement commenced on September 1, 2009, and shall continue through May 31, 2010. Compensation shall not exceed a total of \$11,200. **(Contract No. C20090678)**
47. Resolution authorizing the ratification of a Personal Services Agreement with National Cinemedia. Once the advertisements were ready to run at National Cinemedia, it was agreed to start them on October 9, 2009, while contract language was being finalized. **(Resolution No. R20090495)**
48. Personal Services Agreement with National Cinemedia to allow for advertising about H1N1/Swine Flu in AMC Cascade Mall Cinemas between October 9, 2009, and January 28, 2010. The 30 second advertisements will run prior to every movie, except for Disney Animated Movies. The Agreement commenced October 9, 2009, and shall continue through October 8, 2010. Compensation shall not exceed a total of \$4,425. **(Contract No. C20090679)**
49. Resolution authorizing the ratification of a Vendor Services Agreement with Medical Teams International. Signatures were not completely gathered before the Agreement start date, and it was necessary to begin work on the project September 1, 2009, because of time and budget constraints. **(Resolution No. R20090496)**

50. Vendor Services Agreement with Medical Teams International to allow for the continued provision of mobile dental van driver/coordinator to be used for the Skagit County School Based Sealant Program. The Agreement commenced on September 1, 2009, and shall continue through August 31, 2010. Compensation shall not exceed a total of \$5,600. **(Contract No. C20090680)**

q) HUMAN SERVICES:

51. Resolution authorizing the ratification of Amendment No. 1 to Personal Services Agreement No. C20090958 with United General Hospital. Since United General Hospital has continued to provide services in good faith, and Human Services did not want to deny or delay services to eligible individuals, the terms were agreed upon before the Contract was fully signed. **(Resolution No. R20090497)**
52. Amendment No. 1 to Personal Services Agreement No. C20090958 with United General Hospital to provide funds for expenses incurred by the V.O.I.C.E. Youth Group and chaperones who attend the Washington State Prevention Summit in Yakima, Washington on October 29 and 30, 2009. This Amendment adds an additional \$600, for a new contract total not to exceed \$16,800. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20090208)**

r) PUBLIC WORKS:

53. Resolution authorizing the ratification of an Interlocal Agreement with Skagit County Sewer District #2. The Interlocal agreement Skagit County and Skagit County Sewer District #2 first entered into expired June 30, 2009. After understanding that grant funds were still available for this project, it was decided to take full advantage of them and enter into another Interlocal Agreement with the Sewer District in order to serve the interests of the County and its citizens. **(Resolution No. R20090498)**
54. Interlocal Agreement with Skagit County Sewer District #2 allowing the district to be reimbursed by the County for costs related to conducting a feasibility study evaluating using reclaimed wastewater to augment flows in Nookachamps Creek where water withdrawals have been limited by recent adoption of Chapter 173-503 Washington Administrative Code. The Agreement commenced on July 1, 2009, and shall continue through June 30, 2010. Compensation shall not exceed a total of \$10,000 and the County's expenses will be offset by grant funds from the Department of Ecology. **(Contract No. C20090681)**

s) YOUTH AND FAMILY SERVICES:

55. Resolution authorizing the ratification of an Interlocal Agreement with Pass Course Sales, Sunnyside School District. This Agreement normally coincides with the school year and there were delays in signing this Agreement by Sunnyside School District. **(Resolution No. R20090499)**

56. Interlocal Cooperative Agreement between Skagit County and Pass Course Sales, Sunnyside School District. This Agreement will provide Skagit County youth with an opportunity to participate in the Portable Assisted Study Sequence (PASS) program. This will enable those youth to make-up academic credits through an Office of the Superintendent of Public Instruction endorsed by the program. The Agreement commenced on November 15, 2009, and shall continue through August 31, 2010. Compensation shall not exceed a total of \$4,500. **(Contract No. C20090682)**
57. Resolution authorizing the ratification of an Interlocal Agreement with Island County. The department was unable to obtain the signatures of the Board before the start of the Agreement, due to the fact that time was of the essence to protect the health and safety of the youth in the Juvenile Detention facility. **(Resolution No. R20090500)**
58. Interlocal Agreement between Island County and Skagit County regarding Juvenile Detention Services to allow Skagit County to house its juveniles, under the age of 18 and subject to juvenile court jurisdiction, at the Island County Detention Center. The Agreement shall commence upon the date of execution, and shall continue through December 31, 2010. Compensation shall not exceed a total of \$5,000. **(Contract No. C20090683)**

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 \$57,712.85 (Transmittal No. C-148-09); and
 - b) ACH Transfer Request Form and Certification to Xpress Flex from Clearing Fund 696 in the total dollar amount of \$429.00 (Transmittal No. C-149-09); and
 - c) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$183,391.50 (Transmittal No. C-150-09); and
 - d) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$34,021.96 (Transmittal No. C-151-09); and
 - e) Warrants numbered 309744 through 310133 from Clearing Fund 696 in the total dollar amount of \$1,671,060.15 (Transmittal No. C-152-09).

VII. ADJOURNMENT:

Chairman Dahlstedt adjourned the proceedings at 1:34 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