

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
MONDAY, FEBRUARY 22, 2010**

The Skagit County Board of Commissioners met in regular session on Monday, February 22, 2010, with Commissioners Sharon D. Dillon, Ron Wesen, and Kenneth A. Dahlstedt present.

I. CALL TO ORDER:

Chair Dillon called the proceedings to order at 1:31 p.m.

II. PLEDGE OF ALLEGIANCE:

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

III. AGENDA:

- a) \*8:00 a.m. - 10:30 a.m. Briefing - County Commissioners/Administrator
- b) 1:30 p.m. - 1:45 p.m. Consent Agenda and Miscellaneous Items
- c) \*1:45 p.m. - 3:30 p.m. Executive Session - Potential Litigation
- d) \*5:00 p.m. - 6:00 p.m. Reception for the Washington State Supreme Court (McIntyre Hall Performing Arts & Conference Center - Skagit Valley College - 2405 E. College Way)

IV. CONSENT AGENDA FOR MONDAY, FEBRUARY 22, 2010 (items 1 through 14):

A motion was made by Commissioner Dahlstedt to approve the Consent Agenda items 1 through 14, Ratification Agenda items 15 through 20, vouchers, warrants and miscellaneous items for Monday, February 22, 2010. Commissioner Wesen seconded the motion.

a) COMMISSIONERS' OFFICE:

- 1. Record of the Proceedings for Tuesday, February 16, 2010. **(Approved)**

b) BUDGET AND FINANCE:

- 2. Funding Agreement with Anacortes Community Shelter Project to distribute low-income housing funds pursuant to Substitute House Bill 2060. \$30,000 was awarded to Anacortes Community Shelter Project to be used according to their Funding Proposal (Exhibit "A"). This contract commenced on January 1, 2010, pursuant to Resolution No. R20090546, and shall continue until the funds have been distributed to Anacortes Community Shelter Project or shall end by January 1, 2011. **(Contract No. C20100058)**

c) COMMUNITY SERVICES:

3. Personal Services Agreement with Skagit Preschool and Resource Center to provide parent and professional stipends to the Skagit Connections Conference and the statewide Infant and Early Childhood Conference in Tacoma for 2010. The Agreement shall commence upon the date of execution and continue until June 30, 2010. Compensation shall not exceed \$1,700. **(Contract No. C20100059)**
4. Amendment No. 2 County Program Agreement No. C20090433 with State of Washington Department of Social and Health Services (DSHS) Division of Behavioral Health and Recovery. Due to budget reductions, funds for the Children's Administration-Chemical Dependency Professional are decreased by \$1,129 for fiscal year 2010 and by \$1,507 for fiscal year 2011. Total compensation is decreased by \$2,636 for a new compensation total not to exceed \$2,720,567. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20100024)**
5. Interlocal with Western Washington University (WWU), Recreation Program, Department of Physical Education, Health and Recreation to support 20 Skagit County teens and adults with Development Disabilities through the WWU Camp Team (Together Everyone Achieves More) Program. The Agreement shall commence on April 1, 2010 and continue through June 30, 2010. Compensation shall not exceed \$1,000. **(Contract No. C20100060)**

d) HEALTH:

6. Amendment No. 1 to Interlocal Agreement No. C20090357 with Snohomish Health District for Region 3 Aids Service Network. This Amendment replaces Exhibit B: Year 2009 Budget, which reflects a reduction in allocation to CTR Mandates in the amount of \$11,620, Project SMART in the amount of \$329, Rapid Testing in the amount of \$385 and increase in allocation to Needle Exchange in the amount of \$12,334. There is no change in the total award amount. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20100025)**

e) INFORMATION SERVICES:

7. Personal Services Agreement with Niscayah, Inc. to install, configure and test security components at the Skagit County Administrative Building; County Administration Building; and County Court House, located within the City of Mount Vernon. The Agreement shall commence upon the date of execution and continue until December 31, 2010. Compensation shall not exceed \$38,255.86, not including applicable sales tax. **(Contract No. C20100061)**
8. Personal Services Agreement with Niscayah, Inc. to install, configure and test security components at the Skagit County Guemes Ferry Terminal, located within the City of Anacortes. The Agreement shall commence upon the date of execution and continue through December 31, 2010. Compensation shall not exceed \$28,089.13, not including applicable sales tax. **(Contract No. C20100062)**

f) PROSECUTING ATTORNEY:

9. Personal Services Agreement with GordonDerr, LLP to provide legal counsel, representation, and services relating to the review and/or possible litigation matter as Growth Management Act and other land use environmental issues. The Agreement shall commence upon the date of execution and continue until December 31, 2010. Compensation shall not exceed \$20,000. **(Contract No. C20100063)**

g) PUBLIC WORKS:

10. Resolution calling for bids for one (1) new latest model two axle forestry truck, which will replace a 1990 two axle flatbed chip truck in the road operations division fleet. The bid opening is scheduled for Monday, March 15, 2010, at 2:00 p.m. **(Resolution No. R20100059)**
11. Amendment No. 1 to Local Agency Standard Consultant Agreement No. C20080424 with Northwest Hydraulic Consultants to perform design in support of flood risk reduction planning efforts for Skagit County. This Amendment authorizes Phase II of the Agreement. Compensation for Phase II shall not exceed \$250,000, which remains within the confines of the total amount payable not to exceed \$1,000,000. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20100026)**
12. Personal Services Agreement with Hennessey Fleet Consulting to provide consulting services related to the Equipment Rental & Revolving Fund's (ER&R) division to develop a business plan to include equipment life cycles, vehicle use policies, and rate methodology. The Agreement shall commence upon the date of execution and continue for one year. Compensation shall not exceed \$7,000. **(Contract No. C20100064)**

h) SHERIFF:

13. Resolution authorizing a call for public hearing for the consideration of an Ordinance amending Skagit County Code Chapter 9.50. The hearing is scheduled to take place on Tuesday, March 23, 2010, at 9:00 a.m. **(Resolution No. R20100060)**

i) YOUTH AND FAMILY SERVICES:

14. Amendment No. 4 to County Program Agreement No. C20060421 with the Department of Social and Health Services (DSHS) to replace and supersede Amendment No. A20090190 (0663-98417-03) due to an error in determining the JABG funding for Federal Fiscal Year 2008. This amendment decreases compensation in the amount of \$1,200, for a new Agreement total not to exceed \$40,000. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20100027)**

V. RATIFICATION AGENDA (Items 15 through 20):

j) PROSECUTING ATTORNEY:

15. Resolution authorizing the ratification of a Personal Services Agreement with Anthony Eusanio, Ph.D. The execution of the Agreement was delayed due to the fact that a fully-executed Agreement cannot be in place prior to the commencement of the provision of services. **(Resolution No. R20100061)**
16. Personal Services Agreement with Anthony Eusanio, Ph.D. to provide professional services in the Skagit County Superior Court cases relating to State v. Andrey Chuprinov, Skagit County Superior Court Cause No. 09-8-00522-7 and 09-8-00283-0. The Agreement commenced on February 10, 2010, and shall continue until December 31, 2010. Compensation shall not exceed \$3,500. **(Contract No. C20100065)**

k) PUBLIC WORKS:

17. Resolution authorizing the ratification of a Coordinated Prevention Grant Agreement with the State of Washington Department of Ecology. The execution of the Agreement was delayed due to fact that the Agreement was not received from the Department of Ecology until January 1, 2010. **(Resolution No. R20100062)**
18. Coordinated Prevention Grant Agreement with the State of Washington Department of Ecology. The Department of Ecology awarded Skagit County \$146,005 to provide funding to Skagit County Public Works for the Residential Waste Reduction and Recycling and the Moderate Risk Waste programs. The total funding amount from the Department of Ecology is \$146,005, which is 75% of the total funding. Skagit County shall pay \$48,668, which is 25% of the total funding. The Agreement commenced on January 1, 2010, and will end on December 31, 2011. **(Contract No. C20100066)**

l) SHERIFF:

19. Resolution authorizing the ratification of a Moorage Agreement with the Port of Anacortes. The execution of the Agreement was delayed due to ongoing contract negotiations. **(Resolution No. R20100063)**
20. Moorage Agreement with the Port of Anacortes to provide a permit to moor at Cap Sante Boat Haven in Anacortes. The Agreement commenced on January 20, 2010 and shall continue until terminated. Compensation shall not exceed \$5,000 per calendar year. **(Contract No. C20100067)**

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 \$21,538.13 (Transmittal No. C-20-10); and
- b) Warrants numbered 314219 through 314610 from Clearing Fund 696 in the total dollar amount of \$3,934,680.28 (Transmittal No. C-21-10).

VII. MISCELLANEOUS:

- 1. Katie Jungquist, Treasurer, presented a resolution a declaring a sole source purchase from Technology Unlimited, Inc; and
- 2. Vendor Services Agreement with Technology Unlimited, Inc. for Canon CR180 Image System, including hardware, hardware and software maintenance, on-site training, and installation. The Agreement commenced on January 1, 2010, and shall continue until terminated. Current compensation is \$26,090.00, including annual hardware and software maintenance. Maximum contract compensation shall not exceed \$30,000.

A motion was made by Commissioner Wesen to approve a Resolution and Vendor Services Agreement with Technology Unlimited, Inc. (**Resolution No. R20100064 and Contract No. C20100068**) Commissioner Dahlstedt seconded the motion.

- 3. Daniel Dempsey, Coroner, presented Amendment No. 1 to Contract No. C20090713 with Carl Wigren, which amends Exhibit "B" Compensation to outline service and total compensation. All other terms and conditions of the original contract shall remain in effect.

A motion was made by Commissioner Wesen to approve Amendment No. 1 to Contract No. C20090713 with Carl Wigren. (**Amendment No. A20100028**) Commissioner Dahlstedt seconded the motion.

- 4. Staff presented a resolution re-appointing Allen P. Stewart to the Skagit County Board of Equalization. His term commenced on January 1, 2010, and expires on December 31, 2013.

A motion was made by Commissioner Wesen to approve a Resolution re-appointing Allen P. Stewart to the Skagit County Board of Equalization. (**Resolution R20100065**) Commissioner Dahlstedt seconded the motion.

- 5. Arne Denny, Deputy Prosecuting Attorney, presented a resolution authorizing litigation to enforce compliance with the Skagit County Development and Health Code and to abate a public nuisance.

A motion was made by Commissioner Dahlstedt to approve a Resolution authorizing litigation to enforce compliance with the Skagit County Development and Health Code and to abate a public nuisance. (**Resolution No. R20100066**) Commissioner Wesen seconded the motion.

- 6. Staff presented a resolution opposing the model toxics control act tax increase.

A motion was made by Commissioner Dahlstedt to approve a Resolution opposing the model toxics control act tax increase. (**Resolution No. R20100067**) Commissioner Wesen seconded the motion.

VIII. ADJOURNMENT:

Chair Dillon recessed the proceedings at 1:47 p.m.

**BOARD OF COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON**

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Sharon D. Dillon, Chair

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Ron Wesen, Commissioner

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Kenneth A. Dahlstedt, Commissioner

ATTEST:

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