

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
TUESDAY, JULY 6, 2010**

The Skagit County Board of Commissioners met in regular session on Tuesday, July 6, 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 9:31 a.m.

II. PLEDGE OF ALLEGIANCE:

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

III. AGENDA:

- a) \*8:00 a.m. - 9:30 a.m. Briefing - County Commissioners / County Administrator
- b) 9:30 a.m. - 9:45 a.m. Presentation by the Port of Skagit County on Viva Farms

Don McMoran with the Washington State University (WSU) Skagit County Extension Center was present to discuss the Viva Farms Incubator Program and its future in Skagit County. This program applies classroom instruction directly to work on the farm and fields. Mr. McMoran stated that half of our farmers will be retiring within the next 10 years and that the trend of family members taking over the family farm has decreased. WSU began the Cultivating Success program in order to support new farmers when it was realized that a difficult barrier existed in order for new farmers to gain access to land, markets, capital, credit and training. Graduates of the program rent land from Viva Farms in order to begin implementing what they learned in Cultivating Success. This is a stepping stone towards owning their own farm. Mr. McMoran encouraged people to spread the word regarding Viva Farms and to join a community supported agriculture program (CSA).

Sarita Schaffer, Director of Viva Farms, helped develop this program with Skagit County's Farmland Legacy program. She commended the County for their stewardship of farmland and she invited the Commissioners to the Farmers Market.

The Commissioners thanked them for the presentation and asked some questions.

Mr. McMoran stated that they have been able to accept all applicants to the program. Apparently 70% of our food comes from outside the United States and one goal of theirs is to supply more local food to our area.

Chair Dillon recessed the proceedings at 9:55 a.m.

- c) 10:00 a.m. - 11:00 a.m. Public Works- Thomas G. Ballard, Interim Director:

1. Discussion: Federal Emergency Management Agency (FEMA) Flood Maps Release

Chair Dillon reconvened the proceedings at 10:00 a.m.

Tom Ballard, Interim Director, introduced Dan Berentson, Water Resources Division Manager. Mr. Berentson reported that the Federal Emergency Management Agency (FEMA) released the flood maps July 1, 2010. They were delivered to Tim Holloran, County Administrator, who dispersed them to Planning and Development Services and Public Works. Skagit County, in coordination with FEMA, will be reviewing the maps which will also be placed online for the public's view and use. Skagit County has 90 days to review these maps (in the past only 30 days have been allowed, but an extension was requested and granted). A conference call is scheduled today, July 6, 2010, at 3:30 p.m. with FEMA to set up community meetings.

Tim DeVries, Planning and Development Building Official stated the purpose of the conference call was to find dates and venues for meetings with all of Skagit County's jurisdictions and interested community members. He also stated that the dates, times, and venues of each meeting will be available online, and that anyone could sign up for the email list serve subscription from Planning and Development Services to get notices of these meetings. Commissioner Wesen understands that Skagit County has 90 days to comment. After the comment period, there will be 90 days for the appeal process.

Chair Dillon stated that the flood maps cover a larger area than Skagit County was expecting and that it will take time to review the maps with FEMA.

Dan O'Donnell of 328 N. 3<sup>rd</sup> Street in La Conner commented on fiscal responsibility for the hydrology projects.

2. Discussion: 2011 - 2016 Six-Year Transportation Improvement Program

Rob McGaughey, County Engineer, discussed the Transportation Improvement Program (TIP) and explained that the Washington Administration Code and the Revised Code of Washington set protocols for TIP. A public meeting will be held on July 14, 2010, at 5:30 p.m. in the Quartz room to discuss the 2011 – 2016 Six-Year TIP. They are also looking forward to receiving comments from the Planning Commission.

Ann Marie Gutwein, Transportation Planning Services Section Manager, discussed the projects which may remain on the 2011 - 2016 TIP, the newly added projects, and the deleted projects.

3. Miscellaneous

Mr. Ballard stated that there were no miscellaneous items, however, Bob Helton of 21032 Little Mountain Road in Mount Vernon was present and wanted to ask about infrastructure in the flood plains. Mr. Helton was concerned about current and future roads acting as dams in a flood. Mr. Ballard and Mr. McGaughey discussed this with Mr. Helton and informed him that water flow is looked at before constructing a roadway.

Chair Dillon recessed the proceedings at 10:39 a.m.

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

Chair Dillon reconvened the proceedings at 11:30 a.m.

Kevin Ewing of 39513 Cape Horn Road in Concrete wanted to give some documents to the Commissioners regarding a traffic issue between the police and some civilians.

Commissioner Dahlstedt informed him that they could not accept the documents if it had anything to do with a pending legal issue.

After further discussion it was discovered that the matter had to do with the city police, not the Sheriff's Office. The Commissioners told him that they would direct him to the correct municipality.

Chair Dillon recessed the proceedings at 11:36 a.m.

e) 1:30 p.m. - 2:00 p.m. **Consent Agenda and Miscellaneous Items**

Chair Dillon reconvened the proceedings at 1:35 p.m.

A motion was made by Commissioner Wesen to approve the Consent Agenda Items 1 through 14, Ratification Agenda Items 15 through 21, vouchers and warrants for Tuesday, July 6, 2010. Chair Dillon seconded the motion.

The vote passed unanimously. Commissioner Kenneth A. Dahlstedt's absence was excused

IV. **CONSENT AGENDA (Items 1 through 14):**

a) **COMMISSIONERS' OFFICE:**

1. **Record of the Proceedings for Monday, June 28, 2010. (approved)**
2. **Record of the Proceedings for Tuesday, June 29, 2010. (approved)**

b) CLERK'S OFFICE:

3. Transmittal Agreement between Skagit County and the Washington State Archives, Digital Archives, to transfer electronic court records to the Digital Archives in Cheney, Washington for business continuity and continued public access to documents. No Compensation necessary for this transfer. **(Contract No. C20100307)**

c) COMMUNITY SERVICES:

4. Resolution establishing an Affordable Housing Advisory Committee to develop and recommend an affordable housing plan for Skagit County. This Committee shall consist of 15 - 20 members representing advocates for affordable housing in Skagit County. The term for each voting member shall commence on September 1st of each year and end on August 31st of the subsequent year. **(Resolution No. R20100206)**
5. Interlocal Cooperative Agreement between Skagit County and North Sound Mental Health Administration to provide mental health services to children and their families in Skagit County via the North Sound Wraparound Initiative. This Agreement shall commence upon the date of execution, and shall continue through June 30, 2011. Compensation shall not exceed a total of \$35,000. **(Contract No. C20100308)**

d) CONSERVATION FUTURES:

6. Amendment No. 3 to Cooperative Agreement No. C20090441 with the United States of America Commodity Credit Corporation Acting through the Natural Resources Conservation Service and Skagit Farmland Legacy Program for the Farm and Ranch Lands Protection Program. This Amendment increases the grant amount by an additional \$566,000 for Fiscal Year 2010 funds. Four additional parcels are added: Nelson in the amount of \$86,000, Young in the amount of \$295,000, Moe in the amount of \$55,000, and Knutzen in the amount of \$130,000. Total funds obligated shall not exceed \$1,613,000. All of other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20100097)**

e) FACILITIES:

7. Vendor Services Agreement with KONE Inc., to provide quarterly conveyance maintenance, repair, and services as needed at various Skagit County facilities. This Agreement shall commence upon the date of execution, and shall continue through July 5, 2012. Compensation shall not exceed a total of \$24,000, and will be based upon the bid price on the State Contract No. 01507, Amendment No. 26. the adoption of an interim ordinance establishing controls on the permitting of solid waste handling facilities, which ordinance will be effective upon adoption and valid for one year unless extended work under the work program established by Skagit County Code 14.08 is sooner completed. **(Contract No. C20100309)**

f) FARMLAND LEGACY:

8. Amendment No. 2 to Contract No. C20050361 with Nolan and Shirley Lee. This Amendment includes additional acreage to the Grant Deed Conservation Easement from a boundary line adjustment with the adjacent property owner. This is consistent with Section VI. B. of the Contract No. C20050361. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20100098)**

g) PARKS & RECREATION:

9. Caretaker Agreement between Skagit County and Kyle E. Peninger. Rent in the amount of \$475 per month will be waived in exchange for labor performed by caretaker, Kyle E. Peninger. Labor includes maintaining the Pressentin Park, trails, and residence located at 59992 State Route 20 in Marblemount, Washington, and assisting East County staff with the maintenance and operations of the other East County parks. Caretaker shall be responsible for all utility payments except garbage. This Agreement shall commence on July 16, 2010, and shall continue through July 15, 2011. **(Contract No. C20100310)**
10. Interlocal Cooperative Agreement between Skagit County and Skagit Valley College to accomplish the coordination of recreational activity fields on property held by the State of Washington known as the Skagit Playfields. This Agreement shall commence upon the date of execution, and shall continue through June 30, 2035, replacing the prior Interlocal Agreement No. 002457. **(Contract No. C20100311)**

h) PUBLIC WORKS:

11. Resolution awarding bid for the Edens Road, Guemes Island Project No. ES19600-2 to Strandberg Excavation & Commercial Construction, LLC in the amount of \$132,035. **(Resolution No. R20100207)**
12. Personal Services Agreement with Theisen Architects for the coordination and constructability review of bid level plans and specifications in connection with the Skagit County Transfer and Recycling Station Project. This Agreement shall commence upon the date of execution, and shall continue through October 1, 2010. Compensation shall not exceed a total of \$14,500. **(Contract No. C20100312)**
13. Professional Services Agreement with Parametrix, Inc. to provide technical expertise for the operation of the landfill gas extraction system at Inman Landfill, and other landfill engineering tasks as assigned by Skagit County. The Agreement shall commence upon the date of execution, and shall continue through June 30, 2012. Compensation shall not exceed a total of \$20,000. **(Contract No. C20100313)**
14. Interlocal Cooperative Agreement between The City of Burlington and Skagit County to cooperatively participate in the Skagit River General Investigation Study. This Agreement shall commence upon the date of execution, and shall continue through December 31, 2011. The City of Burlington agrees to assist

with funding the study over the course of two years at \$20,000 per year for a total of \$40,000. **(Contract No. C20100314)**

V. CONTRACT RATIFICATIONS (Items 15 through 23):

i) COMMUNITY SERVICES:

15. Resolution authorizing the ratification of a Personal Services Agreement with JSN, Inc. The contract required revision per the legal and risk departments and Community Services did not want to deny or delay services to eligible individuals. JSN, Inc. has continued to provide services in good faith. **(Resolution No. R20100208)**
16. Personal Services Agreement with JSN, Inc. to provide training on a quarterly basis to Crisis Center staff and 24 hour consultation, 7 days per week, medical consultations by a physician. This Agreement commenced on July 1, 2010, and shall continue through June 30, 2011. Compensation shall not exceed a total of \$11,600. **(Contract No. C20100315)**

j) FACILITIES:

17. Resolution authorizing the ratification of a Lease Agreement with the Concrete Food Bank. Concrete Food Bank has continued to occupy the leased premises and a signed building lease for the property was not received prior to the commencement of the building lease. **(Resolution No. R20100209)**
18. Lease Agreement with the Concrete Food Bank for the County building located at 45942 Main Street, Concrete. The Agreement commenced on March 29, 2010, and shall continue through March 29, 2015. Lessee is responsible for all utility payments. Compensation to the County shall be \$287 per month. **(Contract No. C20100316)**

k) HEALTH:

19. Resolution authorizing the ratification of a Personal Services Agreement with Medical Information Network - North Sound. Funding for this project is provided in a contract between Skagit County and the Washington State Department of Health Contract No. C20070136, from the budget for Public Health Emergency Preparedness and Response and said funding shall expire on July 30, 2010, and it was prudent to begin work on the project before the contract was finalized. **(Resolution No. R20100210)**
20. Personal Services Agreement with Medical Information Network - North Sound to create and operate a common provider contact registry and electronic communication tools to facilitate an improved dialog between the Skagit County Health Department's Communicable Disease Division and local physicians and clinic on matters related H1N1 and other communicable diseases. This Agreement commenced on June 1, 2010, and shall continue through July 30, 2010. Compensation shall not exceed a total of \$10,000. **(Contract No. C20100317)**

l) PUBLIC DEFENDER:

21. Resolution authorizing the ratification of a Client Service Contract No. CSV10055 between State of Washington Office of Public Defense and Skagit County Public Defender. It was discovered that the original contract between the State of Washington Office of Public Defense and the Skagit County Public Defender was not signed by the Skagit County Board of Commissioners until Amendment No. 1 was presented for approval. Monthly revenue in the amount of \$9,519.66 has been received from the Washington State Office of Public Defense for work performed by Skagit County since July 1, 2009, and the Amendment continues the contract through June 30, 2011. **(Resolution No. R20100211)**
22. Client Service Contract No. CSV10055 between State of Washington Office of Public Defense and Skagit County Public Defender to provide indigent dependency and termination defense legal services in Skagit County Juvenile Court as described in Exhibit B, Statement of Work. The Contract commenced on July 1, 2009, and shall continue through June 30, 2010. The Office of Public Defense shall compensate Skagit County \$9,519.66 per month, for a total not to exceed \$114,235.92. **(Contract No. C20100318)**
23. Amendment No. 1 to Client Service Contract No. CSV10055 between State of Washington Office of Public Defense and Skagit County Public Defender. This Amendment extends the contract end date through June 30, 2011, decreases the monthly payment for attorney services from \$9,519.66 per month to \$8,160.00 per month, and adds county-wide administrative activities at \$1,359.66 per month for a new compensation total of \$228,471.84 to be paid by the State of Washington Office of Public Defense. **(Amendment No. A20100099)**

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) Warrants numbered 322347 through 322653 from Clearing Fund 696 in the total dollar amount of \$1,284,776.79 (Transmittal No. C-72-10).

VII. MISCELLANEOUS:

Arne Denny, Senior Deputy Attorney, discussed the Interim Ordinance Establishing Interim Controls on the Permitting of Solid Waste Handling Facilities. This interim ordinance is for clarification and conforms to the code. A public hearing will be scheduled within 60 days.

A motion was made by Commissioner Dahlstedt to approve the adoption of an interim ordinance establishing controls on the permitting of solid waste handling facilities, which ordinance

will be effective upon adoption and valid for one year unless extended work under the work program established by Skagit County Code 14.08 is sooner completed. **(O20100004)**  
Commissioner Wesen seconded the motion.  
The vote passed unanimously.

VIII. ADJOURNMENT:

Chair Dillon adjourned the proceedings at 1:49 p.m. She announced the Commissioners would be going into executive session at 2:00 p.m. for one hour to discuss real estate acquisition, and would be going into a second executive session at 3:00 p.m. for one hour to discuss litigation.

**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