

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, JULY 26, 2010**

The Skagit County Board of Commissioners met in regular session on Monday, July 26, 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 1:32 p.m.

II. PLEDGE OF ALLEGIANCE

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

III. AGENDA:

- a) *8:30 a.m. - 10:30 a.m. Briefing - County Commissioners / County Administrator
- b) 1:30 p.m. - 2:00 p.m. Consent Agenda and Miscellaneous Items

A motion was made by Commissioner Wesen to approve the Consent Agenda Items 1 through 26, Ratification Agenda Items 27 through 46, vouchers and warrants for Monday, July 26, 2010. Commissioner Dahlstedt seconded the motion.
The vote passed unanimously.

- c) *2:00 p.m. - 2:30 p.m. Executive Session (Litigation)
- d) *2:30 p.m. - 3:30 p.m. Executive Session (Litigation)

IV. CONSENT AGENDA (items 1 through 26):

- a) COMMISSIONERS' OFFICE:
 - 1. Record of the Proceedings for Monday, July 12, 2010. **(approved)**
 - 2. Record of the Proceedings for Tuesday, July 13, 2010. **(approved)**
 - 3. Resolution to re-appoint Jason Easton to the Skagit County Planning Commission for a four-year term. His term shall commence on August 1, 2010, and expire on July 31, 2014. **(Resolution No. R20100220)**
 - 4. Resolution to appoint Jackie Paul to the position of Commissioner No. 3 of Dike District No. 17 in order to fill the vacancy left by the death of Commissioner Clarence Paul. Jackie Paul will serve until the next special district general election. The current term expires in February 2012. **(Resolution No. R20100221)**

5. Resolution to appoint an acting representative on behalf of a current member to the Skagit County Emergency Medical Services Commission. Thomas Walsh shall serve in the temporary absence of Pat Cummings. **(Resolution No. R20100222)**
 6. Resolution to re-appoint Alice Takehara to the La Conner Regional Library Board of Trustees for a five-year term. Her term shall commence on September 28, 2010, and expire on September 28, 2015. **(Resolution No. R20100223)**
- b) ADMINISTRATIVE SERVICES:
7. Resolution establishing objectives for the 2011 Skagit County Budget. **(Resolution No. R20100224)**
- c) COMMUNITY SERVICES:
8. Amendment No. 1 to Personal Services Agreement No. C20080660 with Mark Backlund, M.D., which extends the contract end date to June 30, 2012, and replaces Exhibit "B" Scope of Work, and Exhibit "C" Compensation, with new exhibits. This Amendment increases compensation by \$20,000, for a new total not to exceed \$40,000. All other terms and conditions of the original agreement shall remain in effect. **(Amendment No. A20100100)**
 9. Personal Services Agreement with Ani'sahoni Consulting Services, PLLC to provide supervision and training of Ph.D. psychology students for mental health counseling at Phoenix Recovery Services. The Agreement shall commence on September 1, 2010, and continue through July 31, 2011. Compensation shall not exceed \$5,250. **(Contract No. C20100328)**
 10. Personal Services Agreement with Charlotte Underwood to provide specialized child, adolescent, adult and family assessment, evaluation, treatment and consultation. The Agreement shall commence upon the date of execution, and continue through July 1, 2012. Compensation shall not exceed \$10,000. **(Contract No. C20100329)**
 11. Personal Services Agreement with Susan Radkins, MA, to provide specialized child, adolescent, adult and family assessment, evaluation, treatment and consultation. The Agreement shall commence upon the date of execution, and continue through July 1, 2012. Compensation shall not exceed \$10,000. **(Contract No. C20100330)**
- d) CONSERVATION FUTURES:
12. Resolution authorizing application(s) for funding assistance for a Washington Wildlife and Recreation Program (WWRP) Project to the Recreation and Conservation Office (RCO) as provided in Chapter 79A.15 RCW, Acquisition of Habitat Conservation and Outdoor Recreation Lands. Projects include: #10-1528, Young Farm; #10-1546, Nelson Farm; #10-1548, Moe Farm; #10-1549, Firdell Farm (Axelson); #10-1550, Knutzen Farm; #10-1551, Harmony Farm (Vanderkooy). **(Resolution No. R20100225)**

e) EMERGENCY MANAGEMENT:

13. Amendment A to Emergency Management Planning Grant (EMPG) Contract with the Washington State Military Department Contract No. E10-286, Skagit County Contract No. C20100276. This Amendment revises Exhibit C, Budget Sheet, and awards an additional \$3,084, for a new total compensation amount of \$45,587. All other terms and conditions of the original Contract shall remain in effect. **(Amendment No. A20100101)**

f) HEALTH:

14. Resolution calling for a public hearing to consider adopting revisions to the Skagit County Public Health Department schedule of charges. The public hearing is scheduled to take place on Tuesday, August 10, 2010, at 9:00 a.m. **(Resolution No. R20100226)**
15. Amendment No. 24 to Washington State Department of Health Consolidated Contract No. C14962, Skagit County Contract No. C20070142. This Amendment revises Exhibit A, Statements of Work, and replaces Exhibit B-23 with Exhibit B-24, Allocations, by increasing the amount by \$54,730, for a new contract total not to exceed \$3,655,045. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20100102)**
16. Memorandum of Understanding (MOU) between Washington Service Corps Ready*Corps VISTA Program and the Skagit County Public Health Department. The Public Health Department agrees to become a sponsoring organization and accept placement of VISTA volunteers. The Emergency Preparedness Program within the department plans to utilize the volunteers to further develop the Medical Reserve Corp (MRC) Volunteer Program. This MOU shall commence upon the date of execution, and continue through December 31, 2011. There is no financial consideration associated with this MOU. **(Contract No. C20100331)**

g) HUMAN RESOURCES:

17. Amendment No. 1 to Labor Agreement between Skagit County, Washington and Skagit County Public Works Department Local 176, Council #2, AFSCME Contract No. C20070463. This Amendment extends the Agreement by two years, continuing through December 31, 2011. **(Amendment No. A20100103)**

h) INFORMATION SERVICES:

18. Personal Services Agreement with Datec Inc., to troubleshoot and repair wireless networking components as required for Skagit County. The Agreement shall commence upon the date of execution, and continue through December 31, 2012. Compensation shall not exceed \$25,000. **(Contract No. C20100332)**

i) PLANNING & DEVELOPMENT SERVICES:

19. Deed of Natural Resource Land Easement (NRLE) by Michael and Christine Morgan to Skagit County for short card PL09-0055. The card developed approximately 51.66 acres into three 1-acre lots and one 47.27 acre lot including a 1-acre building site, a 35.33 acre open space NRLE tract and an 11.94 acre Protected Critical Areas tract. This easement is for approximately 35.33 acres in Sedro-Woolley. **(Contract No. C20100333)**

j) PUBLIC WORKS:

20. Resolution calling for a public hearing regarding Revision No. 2 to the 2010 - 2015 Six-Year Transportation Improvement Program (TIP). The public hearing is scheduled to take place on Tuesday, August 17, 2010, at 8:00 a.m. **(Resolution No. R20100227)**
21. Resolution awarding the bid for the Guemes Ferry Parking Lot Walkway Project #FECP-2 to Scimitar Construction in the amount of \$23,000. **(Resolution No. R20100228)**
22. Resolution awarding the bid for the Coal Creek Riparian Replanting to Squalicum Mountain Ecological Restoration in the amount of \$30,818.39. **(Resolution No. R20100229)**
23. Resolution calling for a public hearing regarding the Abolishment and Distribution of Assets of the Sedro-Woolley Sub-Flood Control Zone. The public hearing is scheduled to take place on Tuesday, August 17, 2010, at 8:00 a.m. **(Resolution No. R20100230)**
24. Resolution calling for a public hearing regarding the One-Way/Two-Way status of the South Shore Road #19000 on Guemes Island. The public hearing is scheduled to take place on Tuesday, August 17, 2010, at 10:00 a.m. **(Resolution No. R20100231)**
25. Resolution calling for bids for the 2010 Asphalt Overlay Project #ESAO10-1, and approval of maps, plans, and specifications. The bid opening is scheduled to take place on Monday, August 16, 2010, at 2:30 p.m. **(Resolution No. R20100232)**
26. Vendor Services Agreement with Foss Maritime Company for the haul out and maintenance of the vehicle and passenger ferry M/V Guemes. Resolution R20100181 awarded the contract to Foss Maritime Company on June 14, 2010. The Agreement shall commence on the date of execution, and continue through July 26, 2011. Compensation shall not exceed \$227,999. **(Contract No. C20100334)**

V. RATIFICATION AGENDA (Items 27 through 46):

k) ASSIGNED COUNSEL:

27. Resolution authorizing the ratification of a Personal Services Agreement with

Sharon L. Fields, Attorney at Law. The Agreement was misplaced in the routing process and, therefore, not fully executed prior to the commencement of services. **(Resolution No. R20100233)**

28. Personal Services Agreement with Sharon L. Fields, Attorney at Law, to provide indigent defense representation to defendants referred by the Office of Assigned Counsel who have been deemed conflict of interest for the Skagit County Public Defender's Office. The Agreement commenced on April 1, 2010, and continues through December 31, 2011. Compensation shall not exceed \$25,000. **(Contract No. C20100335)**

l) COMMUNITY SERVICES:

29. Resolution authorizing the ratification of a Personal Services Agreement with United Karate Organization, Tim Salerno. The consolidation of departments within the newly formed Community Services Department delayed the development of the contract terms, scope of work, and finalization of the Agreement before the contract start date of April 1, 2010. **(Resolution No. R20100234)**
30. Personal Services Agreement with United Karate Organization, Tim Salerno, to provide karate lessons to At Risk Intervention Specialist (ARIS) clients. The Agreement commenced on April 1, 2010, and continues through December 31, 2012. Compensation shall not exceed \$10,000 per year. **(Contract No. C20100336)**

m) HEALTH:

31. Resolution authorizing the ratification of an Interagency Agreement No. C1100015 between the State of Washington Department of Ecology and Skagit County. The Agreement was not received from the Department of Ecology until July 6, 2010, due to contract language negotiations. **(Resolution No. R20100235)**
32. Interagency Agreement No. C1100015 between the State of Washington Department of Ecology and Skagit County to establish a waste tire disposal program within Skagit County. This Agreement commenced on July 1, 2010, and shall continue through June 30, 2011. Compensation shall not exceed \$10,000. **(Contract No. C20100337)**

n) PLANNING & DEVELOPMENT SERVICES:

33. Resolution authorizing the ratification of a Personal Services Agreement with The Watershed Company. There was a delay in the preparation, review, and approval of the Agreement and its return to the Skagit County Planning and Development Services Department. **(Resolution No. R20100236)**
34. Personal Services Agreement with The Watershed Company for the Shoreline Master Program Update. The Agreement commenced on July 1, 2010, and shall continue until June 30, 2013. Compensation shall not exceed \$32,090. **(Contract No. C20100338)**

35. Resolution authorizing the ratification of a Cooperative Agreement between the U.S. Environmental Protection Agency and Skagit County regarding Grant No. PO-00J08201. Notification of the grant award was received from the U.S. Environmental Protection Agency in March 2010, but Skagit County was informed that due to the internal process at U.S. Environmental Protection Agency, the Cooperative Agreement would not be ready until June or July 2010. Skagit County received pre-approval from the U.S. Environmental Protection Agency and Skagit County Administrator to bill towards the grant before being fully executed. Skagit County received the approved Agreement from U.S. Environmental Protection Agency on June 30, 2010 and routed it for finalization. **(Resolution No. R20100237)**

36. Cooperative Agreement between the U.S. Environmental Protection Agency and Skagit County (Grant No. PO-00J08201) which awards funds to support the Envision Skagit 2060 project (the Skagit Alternative Futures project). This Agreement commenced on May 1, 2010, and continues through December 31, 2012. This Agreement is for half of the full award amount due to the timing of federal appropriations. Additional funding will be provided in October of 2010. Compensation, at this time, shall not exceed \$407,750. **(Contract No. C20100339)**

o) WSU COOPERATIVE EXTENSION:

37. Resolution authorizing the ratification of a Vendor Services Agreement with Pratt Pest Management Northwest Inc. The Agreement was delayed due to the difficulty in reconciling telephone quotes. Due to the emergence of apple maggots, it was necessary to begin spraying prior to the finalization of the Agreement. **(Resolution No. R20100238)**

38. Vendor Services Agreement with Pratt Pest Management Northwest Inc., to spray residential trees that have been identified to be a threat to commercial apple orchards in order to control apple maggot populations in accordance with RCW 15.09.080. The Agreement commenced on July 1, 2010, and shall continue through July 1, 2012. Compensation shall not exceed \$6,000 annually, for a total of \$12,000. **(Contract No. C20100340)**

p) YOUTH & FAMILY SERVICES:

39. Resolution authorizing the ratification of an Agreement with the State of Washington's Department of Social and Health Services (Contract No. 1-600-00110). The Agreement was delayed due to finalizing language of the Terms and Conditions. **(Resolution No. R20100239)**

40. Agreement between the State of Washington's Department of Social and Health Services (Contract No. 1-600-00110) and Skagit County Youth and Family Services to allow Skagit County to receive funding in order to provide professional consultation/facilitation for the Juvenile Detention Alternatives Initiative Executive Advisory Board. The Agreement commenced on February 1, 2010, and shall continue through December 31, 2010. Compensation to the county shall not exceed a total of \$3,000. **(Contract No. C20100341)**

41. Resolution authorizing the ratification of a Personal Services Agreement with de Losada Consulting, LLC. Reorganization of county resources required a redesign of the project scope and budget to implement the project, and the signed Agreement was only recently received from the Contractor. **(Resolution No. R20100240)**
42. Personal Services Agreement with de Losada Consulting, LLC, to provide consultation, planning and implementation for the Skagit County Justice and Mental Health Collaboration Program for court involved youth. The Agreement commenced on May 1, 2010, and shall continue through June 30, 2011. Compensation will be paid by a Grant from the Department of Justice and shall not exceed \$24,500. **(Contract No. C20100342)**
43. Resolution authorizing the ratification of an Interlocal Agreement between United General Hospital and Skagit County. Grant funding from the Office of Juvenile Justice to provide Community Juvenile Justice Coordination was recently awarded and the signed Agreement was only recently received from United General Hospital. **(Resolution No. R20100241)**
44. Interlocal Agreement between United General Hospital and Skagit County to coordinate the Skagit County Child and Family Consortium (SCCFC) activities. The Agreement commenced on July 1, 2010, and shall continue through June 30, 2011. Compensation shall not exceed \$9,091. **(Contract No. C20100343)**
45. Resolution authorizing the ratification of a County Program Agreement No. 1063-94656 between the Washington State Department of Social and Health Services and Skagit County. The Agreement was not received from Washington State Department of Social and Health Services until after the commencement date. **(Resolution No. R20100242)**
46. County Program Agreement No. 1063-94656 between the Washington State Department of Social and Health Services and Skagit County for funding of the Juvenile Rehabilitation programs through the Consolidated Contract Fiscal Year 2011. The Agreement commenced on July 1, 2010, and continues through June 30, 2011. Compensation shall not exceed \$50,679. **(Contract No. C20100344)**

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 \$311,466.30 (Transmittal No. C-77-10); and
 - b) Warrants numbered 323064 through 323430 from Clearing Fund 696 in the

total dollar amount of \$4,795,993.26 (Transmittal No. C-78-10); and

- c) Warrants numbered 323431 through 323883 from Clearing Fund 696 in the total dollar amount of \$1,470,367.79 (Transmittal No. C-79-10); and
- d) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$58,324.48 (Transmittal No. C-80-10); and
- e) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$82,516.17 (Transmittal No. C-81-10); and
- f) Payroll warrants number 267088 through 267826 in the total dollar amount of \$1,117,766.92 (Transmittal No. P-27-10).

VII) MISCELLANEOUS:

1. Trisha Logue, Budget and Finance Director, presented Amendment No. A to Skagit County Contract No. C20080396 with the Washington State Department of Community, Trade and Economic Development (Contract No. 08-64008-027). This Amendment extends the contract end date from July 31, 2010, to July 31, 2011 for the expansion of the Skagit County Food Distribution Center by adding 5,400 square feet of storage space. No compensation is associated with this amendment. All other terms and conditions of the original Agreement shall remain in effect.

A motion was made by Commissioner Dahlstedt to approve Amendment No. A to Skagit County Contract No. C20080396 with the Washington State Department of Community, Trade and Economic Development (Contract No. 08-64008-027).

(Amendment No. A20100104) Commissioner Wesen seconded the motion. The vote passed unanimously.

2. Ryan Walters, Sustainability Administrator, presented a Resolution authorizing the ratification of an Interagency Agreement with Skagit County through the Washington State Department of Commerce Energy Policy Division Agreement No. F10-52110-065. The contract did not have complete signatures prior to the commencement of services on July 1, 2010.

A motion was made by Commissioner Wesen to approve the **Resolution authorizing the ratification of an Interagency Agreement with Skagit County through the Washington State Department of Commerce Energy Policy Division Agreement No. F10-52110-065. (Resolution No. R20100243)** Commissioner Dahlstedt seconded the motion. The vote passed unanimously.

3. Ryan Walters, Sustainability Administrator, presented an Interagency Agreement with Skagit County through the Washington State Department of Commerce Energy Policy Division Agreement No. F10-52110-065. This Agreement is for the Energy Management and Technical Assistance for the Skagit County Shared Resource Conservation Management Program in Partnership with Skagit Council of

Governments. The Agreement commenced on July 1, 2010, and ends April 30, 2012. This Agreement awards funds in the amount of \$56,000 under the American Recovery and Reinvestment Act (ARRA) of 2009 through an Energy Efficiency and Conservation Block Grant/Non-Construction.

A motion was made by Commissioner Wesen to approve **the Interagency Agreement with Skagit County through the Washington State Department of Commerce Energy Policy Division Agreement No. F10-52110-065 for the Energy Management and Technical Assistance for the Skagit County Shared Resource Conservation Management Program in Partnership with Skagit Council of Governments. (Contract No. C20100345)** Commissioner Dahlstedt seconded the motion.

The vote passed unanimously.

4. Ryan Walters, Sustainability Administrator, presented a Resolution authorizing the ratification of an Interlocal Cooperative Agreement between Skagit County and the Skagit Council of Governments. The contract did not have complete signatures prior to the commencement of services on July 1, 2010.

A motion was made by Commissioner Dahlstedt to approve **the Resolution authorizing the ratification of an Interlocal Cooperative Agreement between Skagit County and the Skagit Council of Governments. (Resolution No. R20100244)** Commissioner Wesen seconded the motion.

The vote passed unanimously.

5. Ryan Walters, Sustainability Administrator, presented an Interlocal Cooperative Agreement between Skagit County and the Skagit Council of Governments regarding a Washington State Department of Commerce Grant for the SCOG Resource Conservation Management Program. This Agreement commenced on July 1, 2010, and ends June 30, 2012. Compensation shall not exceed \$56,000.

A motion was made by Commissioner Dahlstedt to approve **the Interlocal Cooperative Agreement between Skagit County and the Skagit Council of Governments regarding a Washington State Department of Commerce Grant for the SCOG Resource Conservation Management Program. (Contract No. C20100346)** Commissioner Wesen seconded the motion.

The vote passed unanimously.

VIII. ADJOURNMENT:

Chair Dillon adjourned the proceedings at 1:40 p.m. She announced the Commissioners would be in executive session at 2:30 p.m. for thirty minutes to discuss litigation, and would be in executive session at 3:00 p.m. for one hour to discuss litigation.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Sharon D. Dillon, Chair

Ron Wesen, Commissioner

Kenneth A. Dahlstedt, Commissioner

ATTEST:

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