

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, NOVEMBER 8, 2010**

The Skagit County Board of Commissioners met in regular session on Monday, November 8, 2010, with Commissioners Sharon D. Dillon, Ron Wesen, and Kenneth A. Dahlstedt present.

I. CALL TO ORDER

Chair Dillon called the proceedings at 11:30 a.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) 11:30 a.m. - 11:45 a.m. Public Comment Period

Seeing no public comment forthcoming, Commissioner Dahlstedt made a motion to close the public comment period at 11:32 a.m. Commissioner Wesen seconded the motion, which passed unanimously.

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

- c) 1:30 p.m. - 2:00 p.m. Consent Agenda and Miscellaneous Items
- d) *2:00 p.m. - 2:30 p.m. Executive Session - Litigation
- e) *2:30 p.m. - 3:30 p.m. Executive Session - Personnel

IV. CONSENT AGENDA FOR MONDAY, NOVEMBER 8, 2010 (items 1 through 20):

Chair Dillon reconvened the proceedings at 1:33 p.m.

A motion was made by Commissioner Dahlstedt to approve the Consent Agenda items 1 through 20, Ratification Agenda 21 through 38, vouchers and warrants for Monday, November 8, 2010. Commissioner Wesen seconded the motion. The vote passed unanimously.

a) ADMINISTRATIVE SERVICES:

- 1. Amendment No. 1 to Personal Services Agreement No. C20100185 with Megan Lycette to extend the term of the Agreement to December 31, 2011, and add a network access agreement. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20100159)**

b) COMMUNITY SERVICES:

2. Personal Services Agreement with Sunrise Services to provide social, recreational, and recovery focused activities at the Peer Connections Center in Mount Vernon. The contract is funded by Mental Health Millage Funds. The Agreement shall commence on January 1, 2011, and continue until December 31, 2011. Compensation shall not exceed \$15,000. **(Contract No. C20100508)**
3. Personal Services Agreement with Jeffrey Berger, MD to provide mental health services, medication management and geriatric consultations. The Agreement shall commence upon the date of execution and continue until June 30, 2012. The contract is funded by the 0.1% sales tax and Mental Health Millage Funds. Compensation shall not exceed \$22,500. **(Contract No. C20100509)**

c) CONSERVATION FUTURES:

4. Personal Services Agreement with Northwest Real Estate Valuation, LLC, to perform property evaluations, review appraisals, and appraisals, and provide full appraisals for the Farmland Legacy Program, Salmon Recovery Program, and Drainage Utility Projects, and to provide Farmland Legacy Program pricing formula. The Agreement shall commence on January 1, 2011, and continue until December 31, 2011. Compensation shall not exceed \$75,000. **(Contract No. C20100510)**
5. Resolution re-appointing James Carstens and Kim Mower to the Agricultural Advisory Board beginning on January 1, 2011, and ending on December 31, 2013. **(Resolution No. R20100375)**

d) HEALTH:

6. Amendment No. 26 to Washington State Department of Health Consolidated Contract No. C14962, Skagit County Contract No. C20070142, which provides funding to continue the Women, Infant and Children's (WIC) United States Department of Agriculture (USDA) Breastfeeding/Nutrition and Local Support program, the Public Health Emergency Preparedness Response (PHEPR) Pandemic Flu Healthcare Systems programs, and adds funding for the Maternal and Child Health Block Grant (MCHBG) Children with Special Health Care Needs (CSHCN) Outcomes Project. This Amendment adds \$170,391 in funding, for a new compensation total not to exceed \$3,864,436. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20100160)**
7. Memorandum of Agreement between Interfaith Community Health Center (ICHC) and Skagit County to allow the County to refer individuals with positive HIV/AIDS test results who are potentially eligible for Ryan White HIV/AIDS Program services through ICHC. ICHC is the recipient of a Ryan White HIV/AIDS Program Part C Early Intervention Services grant for \$440,065 from the U.S. Department of Health and Human Services, Health Resources and Services Administration, HIV/AIDS Bureau. There is no financial consideration with the agreement. The Agreement shall commence

upon the date of execution and continue until terminated. **(Contract No. C20100511)**

8. Resolution to approve the Public Health Inter-Jurisdictional Mutual Aid Agreement and Rescinding Contract No. C20050473. **(Resolution No. R20100376)**
9. Public Health Inter-Jurisdictional Mutual Aid Agreement between Skagit County and the State of Washington, which provides for participation with other Local Health Jurisdictions (LHJ) within Washington State to voluntarily aid and assist each other by interchange of public health resources and services in the event that a public health incident emergency or disaster situation should occur. The Agreement shall commence upon the date of execution and continue until terminated. Any LHJ receiving assistance shall reimburse the costs of the assisting LHJ. **(Contract No. C20100512)**
10. Resolution to reduce the fee for the influenza vaccine from \$35 to \$30 per dose, in order to provide for increased vaccine access, and to incorporate this language in a revision to the Skagit County Public Health Department Schedule of Charges. This resolution rescinds Resolution No. R20100273. **(Resolution No. R20100377)**

e) INFORMATION SERVICES:

11. Amendment No. 1 to Personal Services Agreement No. C20100041 with Mental Velocity, for the development of an off-site electronic data entering system for use by certified operations and maintenance specialists to enter data directly into Septic Manager. This Amendment adds \$15,000 for a new compensation amount not to exceed \$35,000. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20100161)**

f) PARKS, RECREATION, AND FAIR:

12. Interagency Agreement between Skagit County and Washington State Department of Natural Resources (DNR) for the operations and maintenance of the Samish Island Day Use Area, with the County providing services related to ongoing public recreational access to the DNR-managed land at the site. The Agreement shall commence on December 1, 2010, and continue until December 1, 2015. There is no payment or cost to DNR, the County shall furnish all necessary resources. **(Contract No. C20100513)**

g) PLANNING & DEVELOPMENT SERVICES:

13. Amendment No. 1 to Interlocal Cooperative Agreement No. C20090581 with Oregon State University. This Amendment extends the expiration date to December 31, 2011, and adds language to satisfy the Washington State Auditor's requirements. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20100162)**

h) PROSECUTING ATTORNEY:

14. Resolution providing a defense to the Skagit County Board of Commissioners, Diane Goddard, G. Brian Paxton, David A. Svaren, Michael E. Rickert, Linford Smith, and David Needy in lawsuit by Carl George Jaegel and Waverly Jonell Jaegel. **(Resolution No. R20100378)**

i) PUBLIC WORKS:

15. Resolution amending Resolution No. R20090370, appointing members to the Skagit County Marine Resources Committee. **(Resolution No. R20100379)**
16. Local Agency Standard Consultant Agreement with KPG, Incorporated to provide Construction Administration Services for the Skagit County Transfer and Recycling Station Project #WMP50-11, for an amount not to exceed \$209,739. The Agreement shall commence upon the date of execution and continue until November 8, 2012. **(Contract No. C20100514)**
17. Amendment No. 1 to Personal Services Agreement No. C20090564 with People for Puget Sound to perform Task 10: Spartina Survey and Removal, one of eleven tasks including ten action projects and general administration identified in Amendment 2 to the Washington Department of Ecology Grant Agreement #G1000022. This Amendment extends the period of performance to December 31, 2011; the total project cost/100% Ecology share is increased by \$30,000 (from \$6,200 to \$36,200); the effort to eradicate Spartina will be expanded regionally to Clallam, Jefferson, and possibly Whatcom Counties, where at least 75 miles of shoreline will be surveyed by trained volunteers. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20100163)**

j) SHERIFF:

18. Personal Services Agreement with Public Safety Selection, PC to provide psychological examinations for potential and existing employees of the Skagit County Sheriff's Office. The Agreement shall commence on January 1, 2011, and continue until December 31, 2015. Compensation shall not exceed \$350 per psychological exam, plus any fees incurred in mailing or delivery. **(Contract No. C20100515)**
19. Vendor Services Agreement with Multi Services, Inc. to provide industrial services related to the inspection and repair of the kitchen appliances in the Skagit County Jail. The Agreement shall commence on January 1, 2011, and continue until December 31, 2011. Compensation shall not exceed \$5,000. **(Resolution No. R20100516)**
20. Resolution calling for Requests for Proposals for pharmaceutical Services at the Skagit County Jail and Skagit County Youth & Family Services Juvenile Youth Detention Center. **(Resolution No. R20100380)**

V. RATIFICATION AGENDA (Items 21 through 38):

k) COOPERATIVE EXTENSION:

21. Resolution authorizing the ratification of a Personal Services Agreement with Skagit County Community Action Agency. A fully executed Agreement could not be prepared in time, and it was necessary to hire and train a contractor. **(Resolution No. R20100381)**
22. Personal Services Agreement with Skagit County Community Action Agency to provide life skills education and volunteer coordination for the "Ideas for Living" program for 42 hours per month. Bi-lingual Hispanic education outreach will be provided for 20 hours per month. The Agreement commenced on September 1, 2010, and shall continue until December 31, 2010. Compensation shall not exceed \$4,761. **(Contract No. C20100517)**

l) HEALTH:

23. Resolution authorizing the ratification of a Vendor Services Agreement with Medical Teams International. Signatures to execute the contract were not fully gathered before the project start date. **(Resolution No. R20100382)**
24. Vendor Services Agreement with Medical Teams International to provide continuation of the mobile dental van with driver/manager to be used for the Skagit County School Based Sealant Program. The Agreement commenced on September 1, 2010, and shall continue until August 31, 2011. The contract is funded by the Washington State Department of Health Consolidated Contract #C14962 (County Contract No. C20070142). Compensation shall not exceed \$6,000. **(Contract No. C20100518)**
25. Resolution authorizing the ratification of a Personal Services Agreement with Kulshan Pediatric Dentistry. Signatures to execute the contract were not fully gathered before the project start date. **(Resolution No. R20100383)**
26. Personal Services Agreement with Kulshan Pediatric Dentistry for continuation of sealant applications within Skagit County schools for eligible 2nd and 3rd grade students. The Agreement shall commence on September 1, 2010, and continue until May 31, 2011. Compensation shall not exceed \$11,200. **(Contract No. C20100519)**

m) PARKS, RECREATION, AND FAIR:

27. Resolution authorizing the ratification of an Interlocal Cooperative Agreement between Clear Lake Fire Fighter Association of Skagit County Fire District #4 and Skagit County. Due to the health and safety of the surrounding community, it was necessary to commence services with the Clear Lake Fire Fighter Association prior to a fully executed Agreement being in place. Due to the location of the park, it was determined that it was necessary to hire a local group to open the Clear Lake Beach Park gate each day and subsequently close and lock the gate each evening in order to allow park users the opportunity to enjoy the park. **(Resolution No. R20100384)**
28. Interlocal Cooperative Agreement between Clear Lake Fire Fighter

Association of Skagit County Fire District #4 and Skagit County to provide services related to the opening and closing of the entry gate to the Clear Lake Park Facility, located at 12925 Front Street in Clear Lake, Washington. The Agreement commenced on September 16, 2010, and shall continue through June 16, 2011. Compensation shall not exceed \$2,250. **(Contract No. C20100520)**

n) PLANNING & DEVELOPMENT SERVICES:

29. Resolution authorizing the ratification of Grant No. WS-96082901 and two subsequent amendments between U.S. Environmental Protection Agency (EPA) and Skagit County. EPA had signed the agreements and authorized execution of the work, however, the Board of County Commissioners needs to formally execute these contracts. **(Resolution No. R20100385)**

30. Grant No. WS-96082901 between the Environmental Protection Agency (EPA) and Skagit County to develop a broadly supported vision and detailed implementation plan for an alternative future for the Skagit River watershed. This agreement approves the work plan and budget submitted with the application, dated July 18, 2008. The Agreement commenced on July 1, 2008, and continues until June 30, 2012. The assistance amount is \$608,237 with a total project cost of \$1,011,917. **(Contract No. C20100521)**

31. Amendment No. 1 to Grant No. WS-96082901-01 between the Environmental Protection Agency (EPA) and Skagit County to develop a broadly supported vision and detailed implementation plan for an alternative future for the Skagit River Watershed. This amendment approves the indirect cost rate and revised 424A budget submitted on March 25, 2009. The assistance amount is increased by \$16,763 for a total amount of \$625,000. The project total remains \$1,109,236. **(Amendment No. A20100164)**

32. Amendment No. 2 to Grant No. WS-96082901-01 between the Environmental Protection Agency (EPA) and Skagit County to develop a broadly supported vision and detailed implementation plan for an alternative future the Skagit River Watershed. This Amendment approves the revised budget, dated December 9, 2009, and revises Administration Conditions #2 and #3. The assistance amount remains \$625,000 with a total project cost of 1,109,236. **(Amendment No. A20100165)**

o) PUBLIC WORKS:

33. Resolution authorizing the ratification of a Municipal Stormwater Capacity Grant Program Funding Agreement between the State of Washington Department of Ecology. A fully signed Funding Agreement was delayed because the final grant agreement was only recently received from the Washington State Department of Ecology. **(Resolution No. R20100386)**

34. Municipal Stormwater Capacity Grants Program Funding Agreement between the State of Washington Department of Ecology and Skagit County for the National Pollutant Discharge Elimination System Phase II Permit.

The County will receive \$202,513 to put towards its permit obligations in the areas of public education and outreach, public involvement, illicit discharge detection and elimination, runoff pollution prevention, and staff training. The Agreement commenced on July 1, 2010, and continues until June 30, 2012. **(Contract No. C20100522)**

35. Resolution authorizing the ratification of Amendment No. 1 with the Upper Skagit Indian Tribe, and Boss Construction, Inc. to Limited Assignment and Assumption of Contract No. C20100135. A fully executed Amendment could not be signed in time, and it was necessary to begin the additional project work. **(Resolution No. R20100387)**
36. Amendment No. 1 to Limited Assignment and Assumption of Contract No. C20100135 between the Upper Skagit Indian Tribe, Boss Construction, Inc. and Skagit County. Through Amendment #2 of C20080179 (Amendment No. A20100005) Skagit County has agreed to a Limited Assignment and Assumption of this contract as it pertains to the National Oceanic and Atmospheric Administration (NOAA) Grant NA10NMF4630003 (Skagit County Contract No. C20100013) as part of the Hansen Creek Floodplain Reconnection Project. Skagit County received an additional \$25,000 in grant funds, for a new compensation total not to exceed \$527,259. This Contract is 100% funded by NOAA Grant NA10NMF4630003. All other terms and conditions of the original Contract shall remain in effect. **(Amendment No. A20100166)**
37. Resolution authorizing the ratification of a Cooperative Agreement with between Skagit County and the U.S. Department of Commerce through the National Oceanic and Atmospheric Administration (NOAA). A fully executed Amendment was unable to be signed in time, and it was necessary to begin the additional project work. **(Resolution No. R20100388)**
38. Amendment No.1 to Cooperative Agreement No. C20100013 between the National Oceanic and Atmospheric Administration (NOAA) and Skagit County for the NOAA Coastal and Marine Habitat Restoration Project Grant under the American Recovery and Reinvestment Act (ARRA). This Amendment provides grant funds to cover expenses incurred since July 1, 2010, for the completion of approximately one thousand four hundred (1400) lineal feet of protection for the SR-20 highway abutment for the Hansen Creek Floodplain Reconnection Project. Skagit County received an additional \$25,000 in grant funds, for a new compensation total not to exceed \$1,013,915. **(Amendment No. A20100167)**

VII. ADJOURNMENT:

Chair Dillon adjourned the proceedings at 1:34 p.m.

The Commissioners attended an executive session from 2:04 p.m. to 2:19 p.m. The purpose of the executive session related to Litigation - RCW 42.30.110(1)(i). (Matters relating to County enforcement actions, actual litigation, or potential litigation.) The attendees were Chair Dillon, Commissioner Wesen, Commissioner Dahlstedt, County Administrator Tim Holloran, Deputy Prosecuting Attorneys Arne Denny and Melinda Miller, Prosecutor Rich Weyrich, and Human Resources Director Billie Kadrmas.

The Commissioners attended an executive session from 2:35 p.m. to 3:51 p.m. The purpose of the executive session related to Personnel Disciplinary Matters - RCW 42.30.110(1)(f). (Matters relating to complaints against County employee or elected official.) The attendees were Chair Dillon, Commissioner Wesen, Commissioner Dahlstedt, County Administrator Tim Holloran, Human Resources Director Billie Kadrmas, and Assessor Don Munks.

**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