

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, NOVEMBER 15, 2010**

The Skagit County Board of Commissioners met in regular session on Monday, November 15, 2010, with Commissioners Ron Wesen, and Kenneth A. Dahlstedt present.

I. CALL TO ORDER

Commissioner Dahlstedt called the proceedings to order at 1:30 p.m. Chair Dillon's absence was excused.

II. PLEDGE OF ALLEGIANCE

Commissioner Dahlstedt led the gallery in the salute to the flag.

III. AGENDA:

- a) *8:30 a.m. - 10:00 a.m. Briefing - County Commissioners/County Administrator
- b) 1:30 p.m. - 2:00 p.m. Consent Agenda and Miscellaneous Items
- c) *2:00 p.m. - 4:00 p.m. Executive Session (none scheduled as of the date of this notice)

IV. CONSENT AGENDA FOR MONDAY, NOVEMBER 15, 2010 (Items 1 through 19, Ratification Agenda Items 20 through 23, vouchers and warrants.)

A motion was made by Commissioner Wesen to approve the Consent Agenda Items 1 through 19, Ratification Agenda Items 20 through 23, and vouchers and warrants for Monday, November 15, 2010. Commissioner Dahlstedt seconded the motion. The vote passed unanimously.

a) COMMISSIONERS' OFFICE:

- 1. Record of the Proceedings for Monday, November 1, 2010. **(Approved)**
- 2. Record of the Proceedings for Tuesday, November 2, 2010. **(Approved)**
- 3. Record of the Proceedings for Monday, November 8, 2010. **(Approved)**

b) AUDITOR:

- 4. Service Level Agreement for Document Preparation and Imaging Services between the Skagit County Auditor and the State of Washington, Office of the Secretary of State, Archives & Records Management Division to provide document preparation, scanning, and microfilming services. The Agreement shall commence upon the date of execution and continue until December 31, 2012. Compensation shall not exceed \$50,000. **(Contract No. C20100524)**

c) BUDGET & FINANCE:

5. Amendment No. C to Contract No. C20080325 with the Washington State Department of Commerce for the Homeless Grant Assistance Program (HGAP). Amendment No. C redistributes expenses by increasing administration costs, tenant-based rental assistance and project based leasing; and decreases support services. Compensation remains unchanged at an amount not to exceed \$757,521. All other terms and conditions of the original Contract shall Amendments shall remain in effect. **(Amendment No. 20100168)**

d) COMMUNITY SERVICES:

6. Personal Services Agreement with Skagit Recovery Center to provide urinalysis testing and mental health services to individuals referred for participation in Skagit County's Adult Felony Drug Court. The Agreement shall commence on January 1, 2011, and continue until December 31, 2011. Compensation shall not exceed \$40,000. **(Contract No. C20100525)**
7. Amendment No. 2 to Personal Services Agreement No. C20100384 with Skagit Recovery Center. This Amendment changes Exhibit "C" Compensation rate for Drug Screen tests, from \$22 per test to \$25 per test. Compensation amount remains unchanged at an amount not to exceed \$720,000. All other terms and conditions of the original Agreement and Amendment shall remain in effect. **(This item was removed from the Consent Agenda pending further review.)**
8. Amendment No. 2 to Personal Services Agreement No. C20090616 with Skagit Recovery Center. This Amendment changes Exhibit "C" Compensation rate for Drug Screen tests, from \$22 per test to \$25 per test. Compensation amount remains unchanged at an amount not to exceed \$20,000. All other terms and conditions of the original Agreement and Amendment shall remain in effect. **(Amendment No. A20100169)**

e) CONSERVATION FUTURES:

9. Conservation Easement Deed with Greg N. Lee for the purchase of Assessor's Tax Parcel No. P15795, which will extinguish one development right on 34.96 acres. The Farm and Ranch Lands Protection Program and the Natural Resources Conservation Service (NRCS) acting on behalf of the Commodity Credit Corporation will contribute \$49,000 towards the purchase this Easement. The property is located in the 20,000 block of Skagit City Road in Mount Vernon. This Conservation Easement Deed replaces Conservation Easement Deed No. C20100350, and removes language from paragraph XIII, item F, as required by the NRCS. Compensation shall not exceed \$98,000. **(Contract No. C20100526)**
10. Conservation Easement Deed with Nolan and Shirley Lee for the purchase of Assessor's Tax Parcel Nos. P15793, P15817, P15822, and P15825, which will extinguish three development rights on 73.4 acres. The Farm and Ranch Lands Protection Program and the Natural Resources Conservation Service

(NRCS) acting on behalf of the Commodity Credit Corporation will contribute \$165,000 towards the purchase this Easement. The property is located in the 20,000 block of Skagit City Road in Mount Vernon. This Conservation Easement Deed replaces Conservation Easement Deed No. C20100354, and removes language from paragraph XIII, item F, as required by the NRCS. Compensation shall not exceed \$330,000. **(Contract No. C20100527)**

11. Conservation Easement Deed with David & Judith Olson for the purchase of Assessor's Tax Parcel No. P128387, which will extinguish one development right on 49.03 acres. The Farm and Ranch Lands Protection Program and the Natural Resources Conservation Service (NRCS) acting on behalf of the Commodity Credit Corporation will contribute \$62,500 towards the purchase of this Easement. The property is located in the 18,000 block of Torset Road in Mount Vernon. This Conservation Easement Deed replaces Conservation Easement Deed No. C20100352, and removes language from paragraph XIII, item F, and added language at the end of the first paragraph one page as required by the NRCS. Compensation shall not exceed \$125,000. **(Contract No. C20100528)**
12. Conservation Easement Deed with David & Judith Olson for the purchase of Assessor's Tax Parcel No. P16812, which will extinguish one development right on 40.2 acres. The Farm and Ranch Lands Protection Program and the Natural Resources Conservation Service (NRCS) acting on behalf of the Commodity Credit Corporation will contribute \$50,000 towards the purchase of this Easement. The property is located in the 18,000 block of Torset Road in Mount Vernon. This Conservation Easement Deed replaces Conservation Easement Deed No. C20100353, and removes language from paragraph XIII, item F, and added language at the end of the first paragraph one page as required by the NRCS. Compensation shall not exceed \$100,000. **(Contract No. C20100529)**
13. Conservation Easement Deed with Donald R. Kruse for the purchase of Assessor's Tax Parcel No. P15929, which will extinguish one development right on 37 acres. The Farm and Ranch Lands Protection Program and the Natural Resources Conservation Service (NRCS) acting on behalf of the Commodity Credit Corporation will contribute \$47,500 towards the purchase of this Easement. The property is located in the 13,000 block of Rawlins Road in Mount Vernon. This Conservation Easement Deed replaces Conservation Easement Deed No. C20100351, and removes language from paragraph XIII, item F, and added language at the end of the first paragraph one page as required by the NRCS. Compensation shall not exceed \$95,000. **(Contract No. C20100530)**

f) FACILITIES:

14. Resolution calling for bids for the Skagit County Regional Food Distribution Center Addition, located at 250 West Moore Street in Sedro-Woolley, Washington. The bid opening is scheduled to take place on Monday, December 13, 2010, at 2:00 p.m. **(Resolution No. R20100389)**

g) PUBLIC WORKS:

15. Resolution closing the Blanchard Sub-Flood Control Zone Fund 137. **(Resolution No. R20100390)**
16. Resolution closing the Britt Slough Sub-Flood Control Zone Fund 132. **(Resolution No. R20100391)**
17. Local Agency Agreement Standard Consultant Agreement with Element Solutions to provide support with the management and administration of the flood, stormwater, and drainage projects. The Agreement shall commence upon the date of execution and continue until December 31, 2012. Compensation shall not exceed \$200,000. **(Contract No. C20100531)**
18. Approval of Change Order No. 6 to Construction Contract Agreement No. C20100033 with Myers General Commercial Corp. for the Ferry Terminal Building, Guemes Island Ferry Project Federal Aid No. ARRAFB-2029 (046). This change order provides for the replacement of the elevator machine room door with a certified one-hour fire rated door and the associated hardware to comply with the Washington Administrative Code concerning the install of elevators. This Amendment increases compensation by \$1,968.72, for a new compensation amount not to exceed \$600,625.37. All other terms and conditions of the Agreement and Amendments shall remain in effect. **(Amendment No. A20100170)**

h) SHERIFF:

19. Amendment No. 2 to Agreement No. C20090398 with ARAMARK Correctional Services, LLC to extend the term of the Agreement through February 28, 2011. All other terms and conditions of the original Agreement and Amendment shall remain in effect. **(Amendment No. A20100171)**

V. RATIFICATION AGENDA (Items 20 through 23):

i) PUBLIC DEFENDER:

20. Resolution authorizing the ratification of Amendment No. 2 to Client Services Contract No. C20100318 with the State of Washington Office of Public Defense and the Skagit County Public Defender. A fully signed Amendment was delayed because the Office of Public Defense generated a change in the contract and did not realize that the contract had not been signed by the Skagit County Public Defender's Office prior to commencement of services on September 15, 2010. **(Resolution R0100392)**
21. Amendment No. 2 to Client Services Contract CSV10055 No. C20100318 between the State of Washington Office of Public Defense and the Skagit County Public Defender. This Amendment changes the attorney providing defense services to James Nelson, increases compensation for the month of September 2010 from \$1,359.66 to \$1,776.33, increases compensation beginning in October 2010 from \$1,359.66 to \$2,193.00 for the countywide administrative activities. For a new compensation amount not to exceed \$236,388.51. All other terms and conditions of the original Contract shall remain in effect. **(Amendment No. A20100172)**

j) PUBLIC WORKS:

22. Resolution authorizing the ratification of a Personal Services Agreement with AMEC Geomatrix, Inc. This resolution is necessary because Skagit County entered into a contract with AMEC Geomatrix, Inc. on May 11, 2009 (Contract No. C20090325) to design and prepare a work plan for installation of the earthen landfill cap and appurtenances on the Sinnes Road Landfill. The final work and permitting of the project were not completed prior to the expiration date of Contract No. C20090325. **(Resolution No. R20100393)**
23. Personal Services Agreement with AMEC Geomatrix, Inc. to assist the County through the permitting process required to implement the earthen cap construction and associated remedial structures for the former Sinnes Road Landfill. The Agreement commenced on July 1, 2010, and shall continue until December 31, 2011. Compensation shall not exceed \$5,000. **(Contract No. C20100532)**

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 330087 through 330429 from Clearing Fund 696 in the total dollar amount of \$4,411,330.03 (Transmittal No. C-119-10); and
 - b) Warrants numbered 330430 through 330431 from Clearing Fund 696 in the total dollar amount of \$2,910.96 (Transmittal No. C-120-10); and
 - c) Payroll warrants numbered 272295 through 273022 in the total dollar amount of \$1,105,011.50 (Transmittal No. P-41-10); and
 - d) Payroll warrants numbered 990199 through 990367 in the total dollar amount of \$253,542.78 (Transmittal No. P-42-10);

VII. MISCELLANEOUS:

1. Conservation Futures
 - a) Conservation Easement between Skagit County and Gerald and Jenny Nelson to extinguish one development right on 62.53 acres comprised of Parcel Numbers P33899, P33904 and P33906. Compensation is not to exceed \$172,000, to be received in two installments of \$86,000 each, one in 2010 and the second by May 31, 2011. The USDA will reimburse Skagit County \$86,000. **(Contract No. C20100533)**
 - b) Conservation Easement between Skagit County and Andrew and Tietje Young, to extinguish ten development rights on 98.34 acres, comprised of Parcel Numbers P67956, P67955, P67978, P67979, P67985, P67983, P67981, P67989, and P67990.

Total compensation is not to exceed \$590,000, to be received in two installments of \$295,000 each, one in 2010 and the second by May 31 2011. The USDA will reimburse Skagit County \$295,000. **(Contract No. C20100534)**

Kendra Smith, Natural Resources Lands Coordinator, presented two Farmland Legacy Conservation Easements for the Commissioners approval. The first easement is regarding development rights for Andrew and Tietje Young, for \$590,000. We have a grant which will split the cost with the US Department of Agriculture, and there will be two payment installments, one now, and one by the end of May, 2011. The second project is regarding development rights for Gerald and Jenny Nelson's farm, for \$172,000. We will also split this cost with USDA, with the second payment to be made by May 31, 2011. USDA has had the information since last January/February, but just asked us last week to close these items by this Thursday. Otherwise, it would take two or three more months, because the appraisals would have to be re-done.

Commissioner Wesen moved to accept both Conservation Easements, as outlined by Ms. Smith. Commissioner Dahlstedt seconded the motion. The vote passed unanimously.

Roger Howard, Consultant with Skagit County, spoke regarding the Sedro-Woolley Food Distribution Center remodeling project. There is a Call for Bids resolution for this project on today's Consent Agenda. Mr. Howard noted the following items are critical parts of the project yet to be completed: 1) We will not receive a building permit from the City of Sedro-Woolley until Helping Hands Food Bank acquires an agreement from the adjacent property owner for additional parking. The Helping Hands Board is working on this, and they expect it to be in place; and 2) The City of Sedro-Woolley is requiring improvement and extension to Michael Street, along the south property line. Currently we do not have funds required for completion of that street. Community Action is working on acquiring funds, but does not have them yet.

Mr. Howard reported that the County will be opening bids on December 13, 2010, and these issues should be resolved prior to signing a construction contract with the low bidder.

Commissioner Wesen asked about the parking problem. Mr. Howard responded that the City of Sedro-Woolley is requiring the Food Bank to have a lease agreement in perpetuity to resolve the parking congestion that occurs during food distribution. There is a traffic problem at the roundabout, located at the intersection of Highway 20 and Michael Street. The City will accept this solution, but the agreement is not yet in place. However, it's critical to move forward on the bid process to meet the time requirements. The Department of Commerce will require this project to be completed by the end of July, 2011.

VIII. ADJOURNMENT:

Commissioner Dahlstedt stated that there would be no executive session this afternoon. Tomorrow the Commissioners will meet at 9:00 a.m. for recognition of Jim Lippert, on his receipt of the Safe Kids Washington, Volunteer of the Year Award.

Commissioner Dahlstedt adjourned the proceedings at 1:42 p.m.

**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**