

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
MONDAY, DECEMBER 20, 2010**

The Skagit County Board of Commissioners met in regular session on Monday, December 20, 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 1:30 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 28, Ratification Agenda Items 29 through 44, vouchers and warrants for Monday, December 20, 2010. Commissioner Dahlstedt seconded the motion.  
The vote passed unanimously.

- c) \*2:00 p.m. - 3:00 p.m. Executive Session (Potential Litigation)

IV. CONSENT AGENDA (items 1 through 28):

a) COMMISSIONERS' OFFICE:

- 1. Record of the Proceedings for Monday, December 13, 2010. **(approved)**
- 2. Record of the Proceedings for Tuesday, December 14, 2010. **(approved)**

b) ASSIGNED COUNSEL:

- 3. Personal Services Agreement with Roy Howson and Jennifer Howson, Howson Law Firm, Attorneys at Law, to provide indigent defense representation for indigent 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 shall commence on January 1, 2011, and shall continue through December 31, 2012. Compensation shall not exceed \$100,000. **(Contract No. C20100608)**
- 4. Personal Services Agreement with Jennifer Bouwens, Attorney at Law, to provide indigent defense representation for indigent 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 shall commence on January 1, 2011, and shall continue through December 31, 2012. Compensation shall not exceed \$100,000. **(Contract No. C20100609)**

5. Personal Services Agreement with Paula Plumer, Attorney at Law, to provide indigent defense representation for indigent 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 shall commence on January 1, 2011, and shall continue through December 31, 2012. Compensation shall not exceed \$100,000. **(Contract No. C20100610)**

c) BUDGET & FINANCE:

6. Resolution to adopt the 2011 Emergency Medical Services Budget. **(Resolution No. R20100431)**

d) COMMUNITY SERVICES:

7. Amendment No. 1 to Interlocal Agreement No. C20090610 with North Sound Mental Health Administration. This Amendment modifies the end date from September 30, 2011, to June 30, 2011; reduces funding by \$5,658 for a new total not to exceed \$174,342; and updates section D.5 Financial Provision - Reimbursement Requirements. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20100192)**
8. Amendment No. 1 to Personal Services Agreement No. C20090520 with Compass Health. This Amendment updates Exhibit "C", Compensation, by adding five additional social skills workshops to families and caregivers, and to adults with developmental disabilities. Compensation is increased by \$1,597.50, for a new total not to exceed \$3,343.50. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20100193)**
9. Resolution authorizing the allocation of mental health and developmental disabilities millage funding for 2011. **(Resolution No. R20100432)**
10. Interlocal Cooperative Agreement between Skagit County and Department of Corrections to prepare and deliver frozen meals and dinner rolls to the Skagit county Nutrition Project. Skagit County shall pay the Department of Corrections \$1.95 per frozen dinner meal, and \$0.13 per individually and bulk packages dinner roll. The Agreement shall commence on January 1, 2011, and shall continue through December 31, 2011. Compensation shall not exceed \$15,140. **(Contract No. C20100611)**

e) CONSERVATION FUTURES:

11. Conservation Easement Deed between Skagit County and Stanley Edward Knutzen and Marsha R. Knutzen to extinguish two development rights on 99.61 acres comprised of Parcels P34842, P34845, P34875, and P4878 in the amount of \$249,000. The United States Department of Agriculture will reimburse Skagit County a total of \$124,500. The Easement shall commence

on the date of execution. **(Contract No. C20100612)**

12. Interlocal Cooperative Agreement between the Skagit Conservation District and Skagit County. The Conservation District shall be responsible for monitoring county held conservation easements on agricultural land and establishing baseline documentation, as well as assisting the Farmland Legacy staff in delivering reports and information to partner agencies. The Agreement shall commence on January 1, 2011, and continue through December 31, 2011. Compensation shall not exceed \$40,000. **(Contract No. C20100613)**

f) DISTRICT COURT PROBATION:

13. Interlocal Cooperative Agreement between Skagit County and the City of Sedro-Woolley for probation services. The Agreement shall commence on January 1, 2011, and shall continue through December 31, 2013. Skagit County will bill the City of Sedro-Woolley quarterly and compensation shall be on a per case basis. The City shall compensate the County \$50 for each month said defendant is on active supervision, not to exceed a maximum of \$1,200 per defendant/case. In cases involving pre-sentence supervision, supervision of mandatory community service or determination of restitution, the maximum per defendant/case shall be \$150. **(Contract No. C20100614)**

14. Interlocal Cooperative Agreement between Skagit County and the City of Anacortes for probation services. The Agreement shall commence on January 1, 2011, and shall continue through December 31, 2013. Skagit County will bill the City of Anacortes quarterly and compensation shall be on a per case basis. . The City shall compensate the County \$50 for each month said defendant is on active supervision, not to exceed a maximum of \$1,200 per defendant/case. In cases involving pre-sentence supervision, supervision of mandatory community service or determination of restitution, the maximum per defendant/case shall be \$150. **(Contract No. C20100615)**

g) HEALTH:

15. Amendment No. 1 to Personal Services Agreement No. C20100519 with Kulshan Pediatric Dentistry. This Amendment corrects the dates and compensation amount listed in Exhibit "B" by replacing it with Exhibit "B-1". Compensation is reduced by \$800, for a total not to exceed \$10,400. The duration of the contract remains the same, continuing through May 31, 2011. All other terms and conditions of the Agreement shall remain in effect. **(Amendment No. A20100194)**

h) PROSECUTING ATTORNEY:

16. Resolution Appointing the Central Valley Ambulance Authority Board Membership. Roy Hari, Marty Coble, and Rusty Feay will be re-appointed to two-year terms commencing January 1, 2011, and ending December 31, 2012. Rolla "Skip" Ritchey will be replacing and completing Loren Dahl's term commencing January 1, 2010, and ending December 31, 2012. Todd Olson will be replacing and completing Dean Klinger's term commencing

January 1, 2010, and ending December 31, 2012. **(Resolution No. R20100433)**

i) PUBLIC WORKS:

17. Resolution regarding approval of maps, plans, and specifications and call for bids for the temporary passenger-only ferry service between Cap Sante Boat Haven in Anacortes and Guemes Island during the construction period for the Anacortes Ferry Dock Rehabilitation Project #FE40152-5, Federal Aid #BHS-2029(045) and Guemes Island Ferry Dock Repair Project F40153-1, Federal Aid #FBD-BHS-2029(042). The bid opening is scheduled for Tuesday, January 18, 2011, at 2:00 p.m. **(Resolution No. R20100434)**
18. Resolution to call for bids for the procurement of maintenance materials with annual purchases expected to exceed \$25,000 for upcoming Public Works projects. The bid opening is scheduled for Monday, January 10, 2011, at 2:00 p.m. **(Resolution No. R20100435)**
19. Personal Services Agreement with Skagit Fisheries Enhancement Group to assist Skagit County in completing certain tasks related to the implementation of agricultural and other best management practices consistent with Skagit County's Critical Areas Ordinance and Clean Water Program in 2011. The Agreement shall commence on January 1, 2011, and continue through December 31, 2011. Compensation shall not exceed \$30,000. **(Contract No. C20100616)**
20. Personal Services Agreement with Western Washington Agricultural Association to assist Skagit County in completing certain tasks related to the implementation of agricultural and other best management practices consistent with Skagit County's Critical Areas Ordinance and Clean Water Program in 2011. The Agreement shall commence on January 1, 2011, and continue through December 31, 2011. Compensation shall not exceed \$20,000. **(Contract No. C20100617)**
21. Personal Services Agreement with The Skagit Watershed Council to assist Skagit County in completing certain tasks related to the implementation of agricultural and other best management practices consistent with Skagit County's Critical Areas Ordinance and Clean Water Program in 2011. The Agreement shall commence on January 1, 2011, and continue through December 31, 2011. Compensation shall not exceed \$30,000. **(Contract No. C20100618)**
22. Personal Services Agreement with The Skagit Conservation Education Alliance to assist Skagit County in completing certain tasks related to the implementation of agricultural and other best management practices consistent with Skagit County's Critical Areas Ordinance and Clean Water Program in 2011. The Agreement shall commence on January 1, 2011, and continue through December 31, 2011. Compensation shall not exceed \$12,000. **(Contract No. C20100619)**
23. Interlocal Agreement between Skagit County and Skagit Conservation District to assist Skagit County in completing certain tasks related to the

implementation of agricultural and other best management practices consistent with Skagit County's Critical Areas Ordinance and Clean Water Program in 2011. The Agreement shall commence on January 1, 2011, and continue through December 31, 2011. Compensation shall not exceed \$243,000. **(Contract No. C20100620)**

j) SHERIFF:

24. Personal Services Agreement with C. Maxwell, Inc. d/b/a Inslee, Maxwell & Associates to provide mental health services to jail and juvenile detention inmates. The Agreement shall commence on January 1, 2011, and continue through December 31, 2015. Compensation shall not exceed \$85,000 per calendar year. **(Contract No. C20100621)**
25. Interlocal Agreement between Skagit County and Whatcom County (Parks and Recreation) to provide use of the Plantation Rifle Range to the Sheriff's Patrol and Correctional staff. The Agreement shall commence on January 1, 2011, and continue through December 31, 2011. Compensation shall not exceed (1) 18 8-hour days for a total of \$10,179; and (2) additional days, if any, to be mutually agreed upon and paid within 30 days. **(Contract No. C20100622)**
26. Amendment No. 1 to Interagency Agreement No. C20100289, WSP Contract No. C100895FED, between the Washington State Patrol and the Skagit County Sheriff's Office, which supports a Federal Grant for domestic cannabis eradication/suppression. This Amendment increases compensation by \$5,858.16, for a new total not to exceed \$36,858.16. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20100195)**

k) SUPERIOR COURT:

27. Personal Services Agreement with Northwest Family and Children's Services to provide Guardian ad Litem services required for dependency cases filed and heard in Skagit County Superior Court. Northwest Family and Children's Services will provide legal representation for proceedings that qualify for such representation at public expense. The Agreement shall commence on January 1, 2011, and continue through December 31, 2011. Compensation shall not exceed \$156,000. **(Contract No. C20100624)**

l) TREASURER:

28. Resolution accepting the report of the Treasurer's annual designation of financial institutions qualifying as public depositories for Skagit County. **(Resolution No. R20100436)**

V. RATIFICATION AGENDA (Items 29 through 44):

m) PLANNING & DEVELOPMENT:

29. Resolution authorizing the ratification of a SMA Grant Agreement No.

G1100205 between the State of Washington Department of Ecology and Skagit County for the Comprehensive Shoreline Master Program Update Project. A delay occurred in negotiating the Grant Agreement and so a completed Agreement was not fully executed before July 1, 2010. **(Resolution No. R20100437)**

30. SMA Grant Agreement No. G1100205 between the State of Washington Department of Ecology and Skagit County for the Comprehensive Shoreline Master Program Update Project. This Agreement commenced on July 1, 2010, and it continues through June 30, 2013. Compensation shall not exceed \$740,000. **(Contract No. C20100625)**

n) PROSECUTING ATTORNEY:

31. Resolution authorizing the ratification of a Personal Services Agreement with Candace K. Belair and Belair Training. The only date available for the group training is December 20, 2010. Candace K. Belair is scheduled to provide the group training prior to the execution of the contract. **(Resolution No. R20100438)**
32. Personal Services Agreement with Candace K. Belair and Belair Training to provide one group training and several 3:1 three-hour video coaching sessions for deputy prosecutors. This Agreement shall commence on December 20, 2010, and continues through January 31, 2011. Compensation shall not exceed \$7,000. **(Contract No. C20100626)**

o) PUBLIC WORKS:

33. Resolution authorizing the ratification of Amendment No. 1 to Cooperative Agreement No. C20100373 between the U.S. Environmental Protection Agency (EPA) No. PO-00J09601-0 and Skagit County. Due to Title 40 Code of Federal Regulations (CFR) 31.36, reclassification of budget categories was necessary with the sub awardee partner agencies, which Amendment No. 1 corrects. **(Resolution No. R20100439)**
34. Amendment No. 1 to Cooperative Agreement No. C20100373 between the U.S. Environmental Protection Agency (EPA) No. PO-00J09601-0 and Skagit County. This Amendment revises the budget categories for sub awardees from "Contractor" to "Other", changes the EPA Project Officer, and revises administrative condition 4. Funding remains the same. The effective start date of this Amendment is June 1, 2010, and it shall continue through May 31, 2013. All other terms and conditions of the original Agreement remain in effect. **(Amendment No. A20100196)**
35. Resolution authorizing the ratification of an Agreement for Grant Sub award between Skagit County and Skagit Conservation District. Due to the time required to fully execute the United States Environmental Protection Agency (EPA) Cooperative Grant Amendment and the need to begin work as soon as possible, it was necessary to obtain authorization for the EPA for work to start effective June 1, 2010. **(Resolution No. R20100440)**
36. Agreement for Grant Sub award between Skagit County and Skagit

Conservation District to assist Skagit County with meeting tasks set forth in United States Environmental Protection Agency Cooperative Grant Agreement PO-00J09601-0 for the Clean Samish Initiative: Pollution Identification and Correction Program. The effective start date of this Agreement is June 1, 2010, and it shall continue through May 31, 2013. Compensation shall not exceed \$261,600. **(Contract No. C20100627)**

37. Resolution authorizing the ratification of an Agreement for Grant Sub award between Skagit County and Skagit Conservation Education Alliance. Due to the time required to fully execute the United States Environmental Protection Agency (EPA) Cooperative Grant Amendment and the need to begin work as soon as possible, it was necessary to obtain authorization for the EPA for work to start effective June 1, 2010. **(Resolution No. R20100441)**
38. Agreement for Grant Sub award between Skagit County and Skagit Conservation Education Alliance to assist Skagit County with meeting tasks set forth in United States Environmental Protection Agency Cooperative Grant Agreement PO-00J09601-0 for the Clean Samish Initiative: Pollution Identification and Correction Program. The effective start date of this Agreement is June 1, 2010, and it shall continue through May 31, 2013. Compensation shall not exceed \$36,840. **(Contract No. C20100628)**
39. Resolution authorizing the ratification of an Agreement for Grant Sub award between Skagit County and Skagit Fisheries Enhancement Group. Due to the time required to fully execute the United States Environmental Protection Agency (EPA) Cooperative Grant Amendment and the need to begin work as soon as possible, it was necessary to obtain authorization for the EPA for work to start effective June 1, 2010. **(Resolution No. R20100442)**
40. Agreement for Grant Sub award between Skagit County and Skagit Fisheries Enhancement Group to assist Skagit County with meeting tasks set forth in United States Environmental Protection Agency Cooperative Grant Agreement PO-00J09601-0 for the Clean Samish Initiative: Pollution Identification and Correction Program. The effective start date of this Agreement is June 1, 2010, and it shall continue through May 31, 2013. Compensation shall not exceed \$20,490. **(Contract No. C20100629)**
41. Resolution authorizing the ratification of an Agreement for Grant Sub award between Skagit County and Western Washington Agricultural Association. Due to the time required to fully execute the United States Environmental Protection Agency (EPA) Cooperative Grant Amendment and the need to begin work as soon as possible, it was necessary to obtain authorization for the EPA for work to start effective June 1, 2010. **(Resolution No. R20100443)**
42. Agreement for Grant Sub award between Skagit County and Western Washington Agricultural Association to assist Skagit County with meeting tasks set forth in United States Environmental Protection Agency Cooperative Grant Agreement PO-00J09601-0 for the Clean Samish Initiative: Pollution Identification and Correction Program. The effective start date of this Agreement is June 1, 2010, and it shall continue through May 31, 2013. Compensation shall not exceed \$22,500. **(Contract No.**

**C20100630)**

43. Resolution authorizing the ratification of an Agreement for Grant Sub award between Skagit County and Samish Nation. Due to the time required to fully execute the United States Environmental Protection Agency (EPA) Cooperative Grant Amendment and the need to begin work as soon as possible, it was necessary to obtain authorization for the EPA for work to start effective June 1, 2010. **(Resolution No. R20100444)**
44. Agreement for Grant Sub award between Skagit County and Samish Nation to assist Skagit County with meeting tasks set forth in United States Environmental Protection Agency Cooperative Grant Agreement PO-00J09601-0 for the Clean Samish Initiative: Pollution Identification and Correction Program. The effective start date of this Agreement is June 1, 2010, and it shall continue through May 31, 2013. Compensation shall not exceed \$33,000. **(Contract No. C20100631)**

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 \$68,165.70 (Transmittal No. C-132-10); and
  - b) Warrants numbered 332095 through 332655 from Clearing Fund 696 in the total dollar amount of \$5,541,301.06 (Transmittal No. C-133-10).

VII. ADJOURNMENT:

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

The Commissioners attended an executive session from 2:00 p.m. to 3:00 p.m. The purpose of the executive session was Litigation - RCW 42.30.110(1)(i). (Matters relating to County enforcement actions, actual litigation, or potential litigation.) The following attorney was present at the executive session and gave legal advice to the Board of County Commissioners: Will Honea.

**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