

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
MONDAY, MARCH 14, 2011**

The Skagit County Board of Commissioners met in regular session on Monday, March 14, 2011, with Commissioners Ron Wesen, Kenneth A. Dahlstedt, and Sharon D. Dillon present.

I. CALL TO ORDER

Chairman Ron Wesen called the proceedings to order at 1:30 p.m.

II. PLEDGE OF ALLEGIANCE

Chairman Ron Wesen led the gallery in the salute 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
- 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, MARCH 14, 2011 (items 1 through 47):

A motion was made by Commissioner Dillon to approve Consent Items 1 through 47, Ratification Agenda Items 48 through 63, vouchers and warrants for Monday, March 14, 2011. Commissioner Dahlstedt seconded the motion.  
The vote passed unanimously.

a) COMMISSIONERS' OFFICE:

- 1. Record of the Proceedings for Monday, February 28, 2011. **(Approved)**
- 2. Record of the Proceedings for Tuesday, March 1, 2011. **(Approved)**

b) ASSIGNED COUNSEL:

- 3. Personal Services Agreement with Keith C. Celebrezze, 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 shall commence on April 1, 2011, and continue until December 31, 2012. Compensation shall not exceed \$25,000. **(Contract No. C20110092)**

c) BUDGET/FINANCE:

- 4. Resolution calling for a public hearing to amend the 2011 Skagit County

Budget. The public hearing is scheduled to take place on Tuesday, March 29, 2011, at 9:30 a.m. (**Resolution No. R20110077**)

d) COMMUNITY SERVICES:

5. Amendment No. 1 to Personal Services Agreement No. C20100392 with Arely Jimenez to provide mental health services to individuals through the Community Wellness Program. The purpose of this Amendment is to increase compensation by \$10,000 for a new compensation amount not to exceed \$30,000. All other terms and conditions of the original Agreement shall remain in effect. The contact funding shall be provided by 0.1% sales tax. (**Amendment No. A20110018**)
6. Funding Agreement with Skagit County Coalition to End Homelessness to distribute homeless housing and assistance funds pursuant to House Bill 2163. The Agreement commenced on January 1, 2011, and shall continue until December 31, 2011. Compensation shall not exceed \$5,000. Funds were authorized pursuant to Resolution No. R20100407. (**Contract No. C20110093**)
7. Personal Services Agreement with Island Hospital for the provision of mental health services to eligible clients. The Agreement shall commence upon the date of execution and continue until December 31, 2012. Compensation shall not exceed \$20,000. (**Contract No. C20110094**)

e) CORONER:

8. Vendor Services Agreement with Evans Funeral Chapel and Crematory, Inc. to provide a person available twenty-four hours a day, seven days a week to receive the deceased at the funeral facility or provide the Coroner's Office with access to the funeral facility. The Agreement shall commence upon the date of execution, and shall continue for one year. Compensation shall not exceed a total of \$5,000. (**Contract No. C20110095**)

f) FACILITIES:

9. Amendment No. 3 to Personal Services Agreement No. C20090138 with Lawhead Architects P.S. for additional services for the Skagit County Regional Food Distribution Center addition and site improvements located in Sedro-Woolley. This Amendment authorizes additional time required of the architect and the sub-consultants in the preparation of additional construction documents that identified separate portions of the project that are funded by different sources. This Amendment would enable the County to track these costs as required by the funding sources. This Amendment adds an additional \$25,000, for a new contract total not to exceed \$197,080. All other terms and conditions of the original Agreement shall remain in effect. (**Amendment No. A20110019**)

g) FARMLAND LEGACY:

10. Amendment No. 1 to Conservation Easement Deed No. C20100605 with Andrew and Tillie Young. The purpose of this Amendment is to acknowledge

Summit Bank's UCC financing statement and to issue the second half of the funds (\$295,000) on the promissory note, payable jointly to Andrew and Tillie Young and Summit Bank. Compensation remains the same, at an amount not to exceed \$590,000. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20110020)**

h) GEOGRAPHIC INFORMATION SERVICE:

11. Interlocal Cooperative Agreement between Skagit County and Skagit Conservation District to establish a cost sharing partnership for Pictometry aerial imagery and software. The Agreement shall commence upon the date of execution and shall continue for two years. Compensation shall not exceed \$8,600. **(Contract No. C20110096)**

i) HUMAN RESOURCES:

12. Labor Agreement between the Skagit County Prosecutor, Skagit County and the Skagit County Prosecuting Attorney's Guild for January 1, 2011 through December 31, 2012. **(Contract No. C20110097)**
13. Personal Services Agreement with John A. Follis, Anderson and Hunter Law Firm to provide Workers' Compensation representation as requested by the Skagit County Human Resources Director. The Agreement shall commence on March 15, 2011, and continue until December 31, 2011. Compensation shall not exceed \$10,000. **(Contract No. C20110098)**

j) PARKS, RECREATION AND FAIRGROUNDS:

14. Amendment No. 2 to Vendor Services Agreement No. C20090168 with Rivercity Screenprinting, Inc. to provide t-shirts and screenprinting for recreation programs. The purpose of this Amendment is to extend the term of the contract to include the dates of March 16, 2011, through March 16, 2012. This Amendment adds an additional \$23,000 for a new contract total not to exceed \$69,000. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20110021)**
15. Vendor Services Agreement with Wizard Enterprises, Inc. dba The Wizards of Ooze to provide for the delivery, rental, pumping, cleaning and removal of portable chemical toilets. The Agreement shall commence upon the date of execution and continue for one year. Compensation shall not exceed \$16,920. **(Contract No. C20110099)**

k) PROSECUTING ATTORNEY:

16. Quit Claim Deed with David L. Schimke and Vicki A. Schimke, husband and wife to correct inaccuracies in title to former right-of-way to facilitate the issuance of title insurance, for Parcel No. P71242, located in Bow, WA. **(Contract No. C20110100)**
17. Quit Claim Deed with Richard D. Schimke and Colette J. Schimke, husband and wife to correct inaccuracies in title to former right-of-way to facilitate the

issuance of title insurance, for Parcel No. P71241, located in Bow, WA.  
**(Contract No. C20110101)**

18. Release & Settlement Agreement and associated Easements for Anchor Cove Marina Condominium Association for property located in Anacortes.  
**(Contract Nos. C20110102; C20110103; and C20110104)**

l) PUBLIC WORKS:

19. Resolution calling for bids for water flow meter installation and removal services for rural residential water use study in Skagit County. The bid opening is scheduled to take place on Monday, April 4, 2011, at 2:00 p.m.  
**(Resolution No. R20110078)**
20. Resolution calling for bids for repair, maintenance and inspection of fixed and mobile cranes operated by Skagit County. The bid opening is scheduled to take place on Monday, April 4, 2011, at 2:15 p.m. **(Resolution No. R20110079)**
21. Resolution calling to update the Vendor Lists for rental equipment and maintenance materials. **(Resolution No. R20110080)**
22. Resolution amending Resolution No. R20110042 initiating new County Road Project numbers (C.R.P.) for various projects. **(Resolution No. R20110081)**
23. Resolution amending Resolution No. R20110041 initiating new County Road Project Numbers (C.R.P.) for various projects. **(Resolution No. R20110082)**
24. Resolution rejecting all bids for the complete engine rebuilds for two main Cummins Diesel KTA-19 M3 engines for the vehicle and passenger ferry M/V Guemes. **(Resolution No. R20110083)**
25. Resolution calling for bids for the complete engine rebuild of one main Cummins Diesel KTA-19 M3 Engine for the vehicle and passenger ferry M/V Guemes. The bid opening is scheduled to take place on Monday, April 4, 2011, at 2:30 p.m. **(Resolution No. R20110084)**
26. Vendor Services Agreement with Lakeside Industries for the procurement of gravel, rock, and specialty and mixed asphalt products as listed in Attachment "A" of 2011 spring/summer maintenance materials eligibility list. The Agreement shall commence upon the date of execution and continue for one year. Compensation shall not exceed \$1,000,000. **(Contract No. C20110105)**
27. Amendment No. 2 to Local Agency Standard Consultant Agreement No. C20080424 with Northwest Hydraulic Consultants to continue to perform design work in support of flood risk reduction planning efforts for Skagit County. This Amendment authorizes Phase III of the contract. This Amendment adds an additional \$250,000, which remains within the

confines of the total amount payable of \$1,000,000. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20110022)**

28. Personal Services Agreement with Coastal Geologic Services, Incorporated to complete a feasibility study to determine estuary restoration options along with a conceptual plan for the area of Freestad Lake, located near Fish Point on Samish Island. The Agreement shall commence upon the date of execution and continue until May 31, 2011. Compensation shall not exceed \$6,250. **(Contract No. C20110106)**
29. Vendor Services Agreement with Ericksen and Svendsen Inc. to provide gravel products as listed in Attachment "A" of the 2011 spring/summer maintenance material eligibility list. The Agreement shall commence upon the date of execution and continue for one year. Compensation shall not exceed \$50,000. **(Contract No. C20110107)**
30. Change Order No. 1 to Construction Contract Agreement No. C20100563 with SRV Construction, Inc. for the Skiyou Slough Ditch Tightline Project #WA402126. Change Order No. 1 includes: stabilized construction entrance, demobilization and re-mobilization of equipment and erosion control. This change order includes items that were not included in the original contract amount and are a result of the Order to Suspend Work on the contract due to changing weather conditions and saturated soil at the site. Compensation for this Change Order shall not exceed \$8,380, for a new compensation amount not to exceed \$45,470.25. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20110023)**
31. Vendor Services Agreement with Hamilton Manufacturing, Inc. to provide gravel products as listed in Attachment "A" of the 2011 spring/summer maintenance materials eligibility list. The Agreement shall commence upon the date of execution and continue for one year. Compensation shall not exceed \$100,000. **(Contract No. C20110108)**
32. Vendor Services Agreement with 3DH Aggregates, Inc. to provide gravel and rock products as listed in Attachment "A" of the 2011 spring/summer maintenance materials eligibility list. The Agreement shall commence upon the date of execution and continue for one year. Compensation shall not exceed \$50,000. **(Contract No. C20110109)**
33. Vendor Services Agreement with L B & R Logging to provide gravel and rock products as listed in Attachment "A" of the 2011 spring/summer maintenance materials eligibility list. The Agreement shall commence upon the date of execution and continue for one year. Compensation shall not exceed \$100,000. **(Contract No. C20110110)**
34. Vendor Services Agreement with Concrete Nor'West for the procurement of gravel and concrete products for concrete products. The Agreement shall commence upon the date of execution and continue for one year. Compensation shall not exceed \$50,000. **(Contract No. C20110111)**
35. Vendor Services Agreement with Aggregates West, Inc. procurement of

gravel and rock products, and road salt as listed in Attachment "A" of 2011 spring/summer maintenance materials eligibility list. The Agreement shall commence upon the date of execution and continue for one year. Compensation shall not exceed \$250,000. **(Contract No. C20110112)**

36. Vendor Services Agreement with Day Creek Sand & Gravel for the procurement of gravel products as listed in Attachment "A" of the 2011 spring/summer maintenance materials eligibility list. The Agreement shall commence upon the date of execution and continue for one year. Compensation shall not exceed \$50,000. **(Contract No. C20110113)**
37. Vendor Services Agreement with Martin Marietta Materials for the procurement of gravel and rock products as listed in Attachment "A" of the 2011 spring/summer maintenance materials eligibility list. Compensation shall not exceed \$250,000. **(Contract No. C20110114)**
38. Vendor Services Agreement with Hertz Equipment Rental Corporation to provide rental equipment for various projects. The Agreement shall commence upon the date of execution and continue for one year. Compensation shall not exceed \$50,000. **(Contract No. C20110115)**
39. Vendor Services Agreement with Birch Equipment Rental to provide rental equipment for various projects. The Agreement shall commence upon the date of execution and continue for one year. Compensation shall not exceed \$75,000. **(Contract No. C20110116)**
40. Vendor Services Agreement with Van's Equipment Co. to provide rental equipment for various projects. The Agreement shall commence upon the date execution and continue for one year. Compensation shall not exceed \$200,000. **(Contract No. C20110117)**
41. Amendment No. 1 to Vendor Services Agreement No. C20100182 with the Wizard of Ooze to provide an ADA portable toilet unit at Cap Sante Boat Haven, at \$100 per month/weekly service on a monthly as-needed basis. The Agreement shall commence upon the date of execution and continue during the period the ferry docks are shut down for repairs, passenger-only service will be provided from Cap Sante Boat Haven in Anacortes. Compensation remains at an amount not to exceed \$15,000. **(Amendment No. A20110024)**
42. Vendor Services Agreement with N C Machinery to provide equipment rental for various projects. The Agreement shall commence upon the date of execution and continue for one year. Compensation shall not exceed \$100,000. **(Contract No. C20110118)**
43. Supplemental Agreement No. 3 to Local Agency Standard Consultant Agreement No. C20090506 with Certified Land Services for the Francis Road Curve Realignment and Reconstruction Right-of-Way Services. The purpose of this supplement is to allow for right-of-way services in connection with the revised road alignment plan. This Amendment adds an additional \$20,503 for a new contract total not to exceed \$57,267. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment**

**No. A20110025)**

44. Vendor Services Agreement with McAsphalt Industries, Ltd. for the procurement of Liquid Asphalt as listed in Attachment "A" of the 2011 spring/summer maintenance material list. The Agreement shall commence on upon date of execution and continue for one year. Compensation shall not exceed \$1,500,000. **(Contract No. C20110119)**
45. Interlocal Cooperative Agreement between Skagit County and the Upper Skagit Indian Tribe. The Tribe would like to perform striping and signing work within the County right-of-way at the intersection of Old Highway 99 North, Bow Hill Road, and Prairie Road. The Tribe will reimburse the County for work performed at the Bow Hill Road Intersection with North Daark Lane for the installation of a backup power transfer switch for the traffic signal in case of a power outage. The Agreement shall commence upon the date of execution and continue until December 31, 2011. **(Contract No. C20110120)**

m) SUPERIOR COURT:

46. Interagency Agreement IAA11195 between The Washington State Administrative Office of the Courts (AOC) and Skagit County Superior Court for reimbursement of expenditures incurred to develop an expanded jury source list to increase the numbers and diversity of citizens available for jury duty. The Agreement shall commence on April 15, 2011, and continue through June 30, 2011. AOC shall reimburse Skagit County for expenditures in an amount not to exceed \$950. **(Contract No. C20110121)**

n) TREASURER:

47. Resolution to approve 2010 property tax refunds. **(Resolution No. R20110085)**

V. RATIFICATION AGENDA (Items 48 through 63):

o) ADMINISTRATIVE SERVICES:

48. Resolution authorizing the ratification of a Personal Services Agreement with Padilla Bay Foundation. A signed contract was not received prior to the commencement of the contract on September 1, 2010, due to processing the Agreement through the United States Department of Energy's Energy Efficiency and Conservation Block Grant program. **(Resolution No. R20110086)**
49. Personal Services Agreement with Padilla Bay Foundation to coordinate Climate Stewards Program and organize community events targeted at energy conservation. The Agreement commenced on September 1, 2010, and shall continue through June 30, 2011. Compensation shall not exceed \$11,300. The funds for this contract are funded by Recovery Act Funds through the United States Department of Energy's Energy Efficiency and Conservation Block Grant program. **(Contract No. C20110122)**

p) COMMUNITY SERVICES:

50. Resolution authorizing the ratification of a Personal Services Agreement with NAMI Skagit. A signed contract was not received from NAMI prior to the commencement date of January 1, 2011. **(Resolution No. R20110087)**
51. Personal Services Agreement with NAMI Skagit to provide education and outreach services to individuals with mental illness. The Agreement commenced on January 1, 2011, and shall continue through December 31, 2011. Compensation shall not exceed \$13,000. This contract is funded by mental health millage funds. **(Contract No. C20110123)**
52. Resolution authorizing the ratification of a 2011 Funding Agreement between Northwest Regional Council Northwest Washington Area Agency on Aging and Skagit County. Review of contract provisions delayed finalization of the Contract. **(Resolution No. R20110088)**
53. Funding Agreement between Northwest Regional Council (NWRC), Northwest Washington Area Agency on Aging (NWRC Contract No. 123009-NUTR) and Skagit County to provide nutritionally balanced congregate and home-delivered meals to seniors age 60 years of age or older in Skagit County. The contract commenced on January 1, 2011, and shall continue until December 31, 2011. Compensation shall not exceed \$236,483. **(Contract No. C20110124)**
54. Resolution authorizing the ratification of a Funding Agreement with Crossroads Community Development Corporation. Administrative delays experienced by Crossroads Community Development Corporation postponed the completion of the funding agreement. **(Resolution No. R20110089)**
55. Funding Agreement between Skagit County and Crossroads Community Development Corporation to distribute low-income housing funds pursuant to Substitute House Bill 2163. The Agreement commenced on January 1, 2011, and shall continue December 31, 2011. Compensation shall not exceed \$45,241.96. **(Contract No. C20110125)**

q) EMERGENCY MANAGEMENT:

56. Resolution authorizing the ratification of Contract with Snohomish County. A signed contract was not received from Snohomish County prior to the commencement date of February 17, 2011, no services have been or will be rendered before the contract has been signed by the Board of County Commissioners. **(Resolution No. R20110090)**
57. Contract No. K855-CCP: Homeland Security Citizen Corps Program Grant through Snohomish County to Skagit County. The U.S. Department of Homeland Security (DHS) and the Federal Emergency Management Agency (FEMA) are providing funds to enhance the capability of state, local and tribal units of government to prevent, deter, respond to, and recover from catastrophic and/or terrorist events through the fiscal year 2010 Homeland Security Grant, Citizen Corps Program (CCP). This funding is being provided



to address the unique exercise, training, planning, equipment, organization, and management and administration needs for citizen preparedness and engagement. The Agreement commenced on February 17, 2011, and shall continue through August 1, 2012. Compensation shall not exceed a total of \$2,167. **(Contract No. C20110126)**

r) HUMAN RESOURCES:

58. Resolution authorizing the ratification of an Amendment to Personal Services Agreement No. C20090715 with Skagit Business and Staffing, LLC. A fully signed Agreement was not executed prior to the expiration of the 2010 contract. **(Resolution No. R20110091)**
59. Amendment No. 2 to Personal Services Agreement No. C20090715 with Skagit Business and Staffing, LLC. This Amendment adds an additional \$1,050, for a new contract total not to exceed \$10,550. **(Amendment No. A20110026)**

s) PUBLIC DEFENDER:

60. Resolution authorizing the ratification of a Personal Services Agreement with D. Marianne Ledgerwood. A fully signed Agreement was delayed because there was difficulty in obtaining all necessary signatures prior to March 1, 2011. **(Resolution No. R20110092)**
61. Personal Services Agreement with D. Marianne Ledgerwood to provide legal transcription services as requested by the Skagit County Public Defender. The Agreement commenced on March 1, 2011, and shall continue until December 31, 2011. Compensation shall not exceed \$15,000. **(Contract No. C20110127)**
62. Resolution authorizing the ratification of a Personal Services Agreement with Kimberly A. Perinne. A fully signed Agreement was delayed because there was difficulty in obtaining all necessary signatures prior to March 1, 2011. **(Resolution No. R20110093)**
63. Personal Services Agreement with Kimberly A. Perinne to provide legal transcription services as requested by the Skagit County Public Defender. The Agreement commenced on March 1, 2011, and shall continue until December 31, 2011. Compensation shall not exceed \$15,000. **(Contract No. C20110128)**

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) Payroll warrants number 278014 through 278704 in the total dollar amount

of \$1,071,468.77 (Transmittal No. P-9-11); and

- b) Junior district payroll warrants number 991797 through 991967 in the total dollar amount of \$225,732.37 (Transmittal No. P-10-11); and
- c) Warrants numbered 337108 through 337108 from Clearing Fund 696 in the total dollar amount of \$2,601.23 (Transmittal No. C-26-11); and
- d) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$46,213.07 (Transmittal No. C-27-11); and
- e) Warrants numbered 337109 through 337409 from Clearing Fund 696 in the total dollar amount of \$1,208,417.67 (Transmittal No. C-28-11); and
- f) Warrants numbered 337410 through 337642 from Clearing Fund 696 in the total dollar amount of \$282,939.87 (Transmittal No. C-29-11); and
- g) Warrants numbered 337643 through 337643 from Clearing Fund 696 in the total dollar amount of \$80,025.00 (Transmittal No. C-30-11); and
- h) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$180,197.01 (Transmittal No. C-31-11); and
- i) Warrants numbered 337644 through 337929 from Clearing Fund 696 in the total dollar amount of \$80,025.00 (Transmittal No. C-32-11).

VI. ADJOURNMENT:

Chairman Wesen adjourned the proceedings at 1:32 p.m.

The Commissioners attended an executive session on Thursday, March 17, 2011, from 9:40 a.m. to 10:47 a.m. the topic was Litigation - RCW 42.30.110(1)(i). (Matters relating to County enforcement actions, actual litigation, or potential litigation.) The following attorneys were present at the executive session and gave legal advice to the Board of County Commissioners Rich Weyrich, and Will Honea. Others present were Tim Holloran, Skagit County Administrator; Henry Hash, Skagit County Public Works Director, Gary Stoyka, Skagit County Public Works Water Resource Section Manager; Dan Berentson, Skagit County Natural Resource Manager; Jeannie Summerhays, Department of Ecology; Jacque Klug, Department of Ecology; Tadas Kisielius, Gordon Derr; Alan Reichman, Attorney General's Office; Jay Cook, Department of Ecology; and T.C., Department of Ecology.

**BOARD OF COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON**

---

Ron Wesen, Chairman

---

**Kenneth A. Dahlstedt, Commissioner**

---

**Sharon D. Dillon, Commissioner**

**ATTEST:**

---

**Linda Hammons, Clerk of the Board**