

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, MAY 9, 2011**

The Skagit County Board of Commissioners met in regular session on Monday, May 9, 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 10:30 a.m.

II. PLEDGE OF ALLEGIANCE:

Chairman Ron Wesen 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) 10:30 a.m. - 12:00 p.m. Public Works - Henry Hash, Director:

1. Work Session: Clean Samish Initiative - Pollution Identification and Correction Program

Henry Hash, Director, was present to answer any questions. Mr. Hash stated that the purpose of the presentation is to provide the Commissioners with specific information about the action being taken in the effort to improve the Samish River watershed.

Dan Berentson, Natural Resource Manager, was present to introduce the speakers.

Rick Haley, Water Quality Analyst, provided a PowerPoint presentation describing the history of the Clean Samish effort. Mr. Haley stated that water quality pollution problems could be reported by calling the pollution telephone hot line at (360) 336-9400, or by logging onto the Public Works Water Quality website located at www.skagitcounty.net/cleanwater and completing the Water Pollution Report Form. Mr. Haley stated that messages would be relayed to Public Works and the Health Department staff, as appropriate.

Bill Dewey, Taylor Shellfish Farm, spoke about how the shellfish growers are impacted by the closures at Samish Bay. Mr. Dewey stated that there are 40 full-time jobs, which are supported by the shellfish farmers. He went on to explain how the Samish Bay closures effect tourism and cash flow. Mr. Dewey thanked the County for working to improve water quality and for accepting the Governor's challenge to address the issue of closures of the Samish Bay.

Carolyn Kelly, Manager of Skagit Conservation District, discussed how the agricultural community was working to address and solve the problems in the Samish River watershed. She stated there are leaders in the agricultural community who are willing and available to provide technical assistance to local farmers and landowners. She said small local farmers and landowners who are interested in improving their property by implementing a conservation plan to protect water quality and natural resources should contact Skagit Conservation District by telephone at: (360) 428-4313 or by e-mail at: skagitcd@skagitcd.org for more

information.

Emma Whitfield, Public Information Officer and Chair of the Outreach and Education Committee for the Clean Samish Initiative, discussed past and current actions that have been taken to improve public education and outreach. Ms. Whitfield discussed the media campaign running in the Skagit Valley Herald. She stated the campaign would create more awareness and inform people about the laws surrounding pollution. Ms. Whitfield reported on the shellfish bed closure protocol, which includes sending out a press release to a list serve when a shellfish bed has been closed.

Emily Derenne, Skagit County Natural Resource Stewardship Program, discussed the Program. Ms. Derenne said the program worked with streamside landowners to help improve water quality. She presented an award to landowners Jack and Wendy Sekora for their work in protecting and enhancing the natural environment.

Harry Chesnin, general counsel for the Upper Skagit Tribe, commended Skagit County and the Board of County Commissioners for taking a leadership role with respect to the Samish watershed. Mr. Chesnin stated that the Tribe supported the cleanup efforts because a non-polluted Samish basin was critical to the Tribe and its neighbors. He said that cleanup of the Samish watershed must start at the local level but that the Governor must recognize that there are regulatory gaps at the State level that directly contribute to the fecal coliform levels in the Samish Basin and Samish Bay. Mr. Chesnin suggested that the Governor work in cooperation with the County and Tribes to accomplish a joint result.

Peter Browning, Director; and Corinne Story, Environmental Health Manager, were present to discuss the Skagit County Health Department's role in the Clean Samish effort. Mr. Browning said that the Health Department's role was to start with educating the community. Mr. Browning indicated that the Department would issue fines for failed septic systems, when necessary. Ms. Story spoke about the On Site Sewage (OSS) Program. Ms. Story said the Health Department certifies operations and maintenance specialists. The specialists go out and do inspections or pumping of septic systems, which generate a report that is sent to the Health Department. Ms. Story indicated that inspection of conventional gravity septic systems are required every three years, and all other systems require an annual inspection.

Kristine Woodward, Director Natural Resources for the Samish Indian Nation, stated that they have been working with the County in the Samish Initiative process. Ms. Woodward stated that they had nine sampling locations that they collect samples at Thomas Creek, and one location on Willard Creek.

Skagit County Sheriff Will Reichardt was present to discuss the Sheriff's interest in the Clean Samish Initiative. Sheriff Reichardt said the Sheriff's Department enforces illegal dumping and loose livestock laws. He stressed the importance of keeping livestock contained in corrals and keeping them out of the watershed. He also discussed how effective the litter crews were in helping to clean litter from the Samish River. He stated that in the last 10 years the litter crew has logged over 94,000 hours, covered over 16,000 miles of road picking up garbage in the watershed, and have collected 1,387 tons of garbage.

Mary Sutton Caruthers, Environmental Resource Technician, spoke about the County's efforts to provide bags for pet waste. She stated that the County has partnered with Skagit Conservation Education Alliance (SCEA), and Washington State University (WSU) Beach Watchers and others to get information out to the public about pet waste and portable toilet locations.

Bill Dowe, Deputy Director, spoke about changes in Planning and Development Services procedure to clarify what actually happens when violations occur. He

stated that the County would be accepting anonymous code enforcement complaints for violations in the Samish basin.

Dave English, Environmental Health Specialist; and John Cooper, Hydrogeologist, were present to discuss how the County performs septic system inspections.

Lucy DeGrace, Outreach Coordinator with Skagit Fisheries Enhancement Group, discussed the projects taking place in the Samish River watershed. She invited the Commissioners to attend the Family Fest at Donovan County Park in Alger on Saturday, October 8, 2011, from 11:00 a.m. to 3:30 p.m., and asked Chairman Wesen to say a few words about the Clean Samish Initiative at the beginning of the event.

Rebecca Ponzio, Ecosystem Recovery Coordinator with Puget Sound Partnership, indicated that the Partnership was working to finalize the Targeted Action Agenda, which would augment some of the efforts that are already in place with the Clean Samish Initiative. She stated that the Targeted Action Agenda was focused on better coordination around inspections and compliance, as well an accountability of actions associated with cleaning up the Samish.

Pete Haase, Coordinator of Samish Watershed Sign Project, stated the project identified about 85 sites that needed signage. He thanked the Skagit County sign shop for putting up the signs and for taking the initiative to find the appropriate locations for each sign.

Commissioner Dillon stated that this presentation was a perfect example of making changes from the bottom up and working together to meet the Governor's challenge of cleaning up the Samish within the next six months. She said she was encouraged by the renewed effort to concentrate on cleaning up pet and human waste.

Commissioner Dahlstedt thanked everyone in the audience for providing information at the presentation. He stated that one of the challenges was to find adequate funding to help solve the problems. He said that positive incentives, such as low interest loans for replacing septic systems, and that educating the public rather than enforcement would be a better long-term solution. He indicated that the farmers and others in the community have worked hard to help clean up the Samish River watershed.

Commissioner Wesen stated that the Samish Bay was currently closed due to the recent heavy rainfall, which caused the Samish River to rise and elevated fecal coliform bacteria levels.

Rick Haley stated that due to heavy rainfall this weekend, the Department of Ecology closed the Samish Bay for commercial and recreational shellfish harvesting due to the 100 cubic feet per second rise in the river level and the anticipated rise in bacteria levels. He indicated that a water sample was taken, which confirmed the need for the closure. Mr. Haley said that another sample would be taken on Thursday, May 12, 2011, and that the results would determine whether the Samish Bay could be reopened.

Commissioner Wesen encouraged the public to contact the County if they have any concerns or suggestions to help clean up the Samish. He also discussed the Best Management Practices for hobby farmers.

Ian Jeffords of Penn Cove Shellfish in Island County applauded Skagit County's efforts to address the cleanup of the Samish. He discussed the substantive impacts of the closures last year on the shellfish harvesting industry.

Robert Helton of 21032 Little Mountain Road in Mount Vernon, said that he had been following the fecal coliform issue for about ten years. He suggested that a percentage of the fecal matter was caused by the flyaway birds and other

animals and functioning dairies. He suggested that the County take advantage of the DNA analysis science to find the specific cause of the bacteria levels.

Commissioner Wesen indicated that the County was performing DNA sampling on two different sites and would be getting the results in the near future.

Chairman Wesen recessed the proceedings at 11:57 a.m.

- c) 1:00 p.m. - 1:30 p.m. Presentation - Washington Department of Health: Drinking Water Week - Lifetime Achievement Award for Cas Hancock

Chairman Wesen reconvened the proceedings at 1:00 p.m.

Commissioner Dahlstedt's absence was excused from this portion of the proceedings.

Lorna Parent, Skagit County Environmental Health; and Clark Halvorson, Deputy Director of Field Operations for the State of Washington Department of Health Office of Drinking Water were present to recognize Cas Hancock for her outstanding contributions to keep drinking water safe. Ms. Hancock was recognized for her extraordinary abilities for bringing people together to solve problems.

Bob James, Washington State Department of Health Regional Manager for the Northwest Drinking Water Program; Nancy Fagen, Washington State Department of Health Regional Engineer; Derrick Pell, State of Washington Department of Health, Greg Peterka; Mark Spaar; Carl Gears; Larry Henderson were present and thanked Ms. Hancock for her kind heart, hard work, enthusiasm, and dedication to working with troubled water systems to help provide clean and safe drinking water.

Ms. Hancock thanked everyone for their kind words.

Mr. Halvorson presented Ms. Hancock with the Washington State Department of Health: Drinking Water Lifetime Achievement Award for providing reliable and safe drinking water.

The Commissioners thanked Ms. Hancock for all the work she has done.

- d) 1:30 p.m. - 2:00 p.m. Consent Agenda and Miscellaneous Items
e) *2:00 p.m. - 4:00 p.m. Executive Session (none scheduled as of the date of this notice)

IV. CONSENT AGENDA FOR MONDAY, MAY 9, 2011 (items 1 through 19):

Chairman Wesen reconvened the proceedings at 1:41 p.m.

A motion was made by Commissioner Dillon to approve consent agenda items 1 through 19, ratification agenda items 20 through 23, vouchers and warrants for Monday, May 9, 2011. Commissioner Dahlstedt seconded the motion.

The vote passed unanimously.

a) COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Monday, May 2, 2011. **(Approved)**
2. Record of the Proceedings for Tuesday, May 3, 2011. **(Approved)**

b) BUDGET AND FINANCE:

3. Funding Agreement with the Northwest Agriculture Business Center, which awards \$5,000 of Lodging Tax funds to support activities related to the Kneading Conference West event. 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. R20110114. **(Contract No. C20110208)**
- c) COMMUNITY SERVICES:
4. Resolution to appoint Jennifer Sass-Walton to the Skagit County Developmental Disabilities Advisory Board for a three-year term commencing on June 1, 2011, and expiring on June 1, 2014. **(Resolution No. R20110164)**
- d) GEOGRAPHIC INFORMATION SERVICE:
5. Interlocal Cooperative Agreement with the Port of Skagit County to establish a cost sharing partnership for Pictometry imagery and software. The Agreement shall commence upon the date of execution and shall continue for two years. Compensation to Skagit County shall not exceed \$8,600. **(Contract No. C20110209)**
- e) PROSECUTING ATTORNEY:
6. Resolution authorizing an election to determine if Skagit County Consolidated Diking District No. 22 shall reorganize as a Diking, Drainage and Irrigation Improvement District. The election will be held on Tuesday, June 14, 2011. **(Resolution No. R20110165)**
- f) PUBLIC WORKS:
7. Resolution to award the bid for the Water Flow Meter Installation and Removal Services for a Rural Residential Water Use Study to Wolfe Mechanical Services, Incorporated in the amount of \$23,597.61. **(Resolution No. R20110166)**
 8. Resolution to award the bid for the Skagit County Solid Waste Compactor Project #WMP50-11 to SSI Shredding Systems, Incorporated in the amount of \$1,188,050.00. **(Resolution No. R20110167)**
 9. Interagency Agreement No. C1200012 with the State of Washington Department of Ecology for funding of the Community Litter Cleanup Program. The Agreement shall commence on July 1, 2011, and continue until June 30, 2013. Compensation to Skagit County shall not exceed \$70,000. **(Contract No. C20110210)**
 10. Small Works Roster Resolution to award the bid for repair, maintenance and inspection of fixed and mobile cranes to Crane America Services. **(Resolution No. R20110168)**
 11. Vendor Services Agreement with Crane America Services for the repairs, maintenance and inspection of fixed and mobile cranes operated by Skagit County on an needed basis. The Agreement shall commence upon the date of execution and continue for one year. Compensation shall not exceed \$20,000. **(Contract No. C20110211)**
 12. Approval of Construction Contract Agreement with Ground Up Road Construction, Inc. to provide services related to the construction of the Janicki Road Improvement Project #RD31I-565. The Agreement shall commence upon the date of signature

and continue until complete. Compensation shall not exceed \$77,773.08. **(Contract No. C20110212)**

13. Drainage Easement with David E. and Karen N. Towne. This permanent easement gives the County permission to maintain the conveyance system within the Britt Sough Sub Flood Control Zone, which was abolished pursuant to Resolution No. R20100355. **(Contract No. C20110213)**
14. Drainage Easement with Clark D. Todd. This permanent easement gives the County permission to maintain the conveyance system within the Britt Sough Sub Flood Control Zone, which was abolished pursuant to Resolution No. R20100355. **(Contract No. C20110214)**
15. Drainage Easement with Olson Family Farms, LLC. This permanent easement gives the County permission to maintain the conveyance system within the Britt Sough Sub Flood Control Zone, which was abolished pursuant to Resolution No. R20100355. **(Contract No. C20110215)**
16. Drainage Easement with Steven Clyde and Constance Ann Peterson. This permanent easement gives the County permission to maintain the conveyance system within the Britt Sough Sub Flood Control Zone, which was abolished pursuant to Resolution No. R20100355. **(Contract No. C20110216)**
17. Drainage Easement with Wallace and Nancy Maas. This permanent easement gives the County permission to maintain the conveyance system within the Britt Sough Sub Flood Control Zone, which was abolished pursuant to Resolution No. R20100355. **(Contract No. C20110217)**
18. Amendment No. 2 to Coordinated Prevention Grant Agreement No. C2010066 (Grant No. G100462) with the State of Washington Department of Ecology for the Residential Waste Reduction and Recycling and the Moderate Risk Waste programs. The Washington State Department of Ecology has granted additional funding to continue the Residential Waste Reduction and Recycling and Moderate Risk Waste programs. This Amendment increases funding to Skagit County by \$86,343, for a new total grant amount not to exceed \$232,348. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20110056)**

g) SHERIFF:

19. Resolution authorizing the transfer of Sheriff's Office portable radios to the Washington State Patrol. **(Resolution No. R20110169)**

V. RATIFICATION AGENDA (Items 20 through 23):

h) COMMUNITY SERVICES:

20. Resolution authorizing the execution of a Personal Services with Skagit Recovery Center to provide recovery support services to enrolled WA-Cares eligible clients. Development of the contract terms and scope delayed finalization of the Agreement. **(Resolution No. R20110170)**
21. Personal Services Agreement with Skagit Recovery Center for the provision of recovery support services to enrolled WA-CARES eligible clients. The Agreement commenced on April 1, 2011, and shall continue until September 30, 2011. Compensation shall not exceed \$46,585. **(Contract No. C20110218)**

i) WSU COOPERATIVE EXTENSION:

22. Resolution authorizing the execution of an Interlocal Agreement with Washington State University Extension to continue the longstanding joint funding relationship for the County and Area Extension educators to train and educate public citizens in areas of agriculture, natural resources, family living, community resource development, and 4-H/Youth. Multiple reviews and authorization routing delayed the signing of the Agreement. **(Resolution No. R20110171)**
23. Interlocal Agreement with Washington State University Extension to continue the longstanding joint funding relationship for the County and Area Extension educators to train and educate public citizens in areas of agriculture, natural resources, family living, community resource development, and 4-H/Youth. The Agreement commenced on January 1, 2011, and shall continue until December 31, 2011. Compensation shall not exceed \$84,846. **(Contract No. C20110219)**

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 \$196,284 (Transmittal No. C-50-11); and
 - b) Warrants numbered 340730 through 341051 from Clearing Fund 696 in the total dollar amount of \$1,586,109.49 (Transmittal No. C-51-11); and
 - c) Warrants numbered 341052 through 341123 from Clearing Fund 696 in the total dollar amount of \$138,510.60 (Transmittal No. C-52-11); and
 - d) Payroll warrants number 280809 through 281518 in the total dollar amount of \$1,091,630.33 (Transmittal No. P-17-11); and
 - e) Junior District Payroll warrants number 992499 through 992679 in the total dollar amount of \$257,133.85 (Transmittal No. P-18-11).

VII. ADJOURNMENT:

Chairman Wesen adjourned the proceedings at 1:42. p.m.

There were no executive sessions scheduled for Monday, May 9, 2011.

BOARD OF COMMISSIONERS

SKAGIT COUNTY, WASHINGTON

Ron Wesen, Chairman

Kenneth A. Dahlstedt, Commissioner

Sharon D. Dillon, Commissioner

ATTEST:

Linda Hammons, Clerk of the Board