

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
MONDAY, JULY 25, 2011**

The Skagit County Board of Commissioners met in regular session on Monday, July 25, 2011, with Commissioners Ron Wesen, and Kenneth A. Dahlstedt present.

I. CALL TO ORDER:

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

Commissioner Dillon was attending the Paddle to Swinomish Canoe event and her absence was excused.

II. PLEDGE OF ALLEGIANCE:

Chairman Wesen 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)
- d) \*2:30 p.m. Flood Control District Advisory Committee Meeting
- e) \*3:30 p.m. Paddle to Swinomish - Canoe Landing/Dinner (Swinomish Park Pavilion, on the Waterfront Across from LaConner's Gilkey Square)

IV. CONSENT AGENDA FOR MONDAY, JULY 25, 2011 (items 1 through 35):

A motion was made by Commissioner Dahlstedt to approve the Consent Agenda items 1 through 23, and Items 25 through 35, Ratification Agenda items 36 through 43, vouchers and warrants for Monday, July 25, 2011. (*Item 24 was removed from the Consent Agenda and will be considered for signature on Tuesday, July 26, 2011.*) Chairman Wesen seconded the motion.

a) COMMISSIONERS' OFFICE:

- 1. Record of the Proceedings for Monday, July 11, 2011. **(Approved)**
- 2. Record of the Proceedings for Tuesday, July 12, 2011. **(Approved)**

b) ADMINISTRATIVE SERVICES:

- 3. Advertising Agreement with Skagit Publishing to provide advertising services as requested. The Agreement shall commence on August 1, 2011, and shall

continue through July 31, 2012. Compensation shall not exceed \$35,000.  
**(Contract No. C20110320)**

c) APPOINTMENT:

4. Resolution to appoint Mike Voss, as representative for the City of Mount Vernon, to fill the position vacated by Roy Hari on the Central Valley Ambulance Authority Board. Mr. Voss' shall serve until December 31, 2012.  
**(Resolution No. R20110216)**

d) ASSIGNED COUNSEL:

5. Amendment No. 2 to Personal Services Agreement No. C20110092, replacing "Keith C. Celebrezze, Attorney at Law" with "Keith C. Celebrezze, Attorney at Law, working for Lustick Law Firm", and correcting Amendment No. 1 (A20110081) to apply to "Contract No. C20110092". All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20110100)**

e) BUDGET AND FINANCE:

6. Resolution establishing objectives for the 2012 Skagit County Budget in order to give elected officials and department heads guidance on preparing the 2012 budget. **(Resolution No. R20110217)**

f) COMMUNITY SERVICES:

7. Interlocal Cooperative Agreement between Skagit County and the Concrete School District to provide for joint funding for a Truancy Intervention Specialist position to serve the school districts and the County Juvenile Court in implementing the truancy portion of the BECCA Bill, as outlined by the Revised Code of Washington (RCW) and the Washington Administrative Code (WAC). The Agreement shall commence on September 1, 2011, and continue through August 31, 2012. The Concrete School District shall reimburse Skagit County \$565.63. **(Contract No. C20110321)**
8. Interlocal Cooperative Agreement between Skagit County and the Anacortes School District to provide for joint funding for a Truancy Intervention Specialist position to serve the school districts and the County Juvenile Court in implementing the truancy portion of the BECCA Bill, as outlined by the Revised Code of Washington (RCW) and the Washington Administrative Code (WAC). The Agreement shall commence on September 1, 2011, and continue through August 31, 2012. The Anacortes School District shall reimburse Skagit County \$2,545.32. **(Contract No. C20110322)**
9. Interlocal Cooperative Agreement with the Sedro-Woolley School District to provide for joint funding for a Truancy Intervention Specialist position to serve the school districts and the County Juvenile Court in implementing the truancy portion of the BECCA Bill, as outlined by the Revised Code of Washington (RCW) and the Washington Administrative Code (WAC). The Agreement shall commence on September 1, 2011, and continue through August 31, 2012. The Sedro-Woolley School District shall reimburse Skagit

County \$5,585.56. **(Contract No. C20110323)**

10. Amendment No. 2 to Rental Agreement No. C20090024 with the Saturday Community Market Association to utilize the facility known as the Concrete Senior Center, located at 45821 Railroad Avenue, Concrete. The 2011 dates for the Saturday Community Market are May 28, June 4, June 11, June 18, June 25, July 2, July 9, July 16, July 23, July 30, August 6, August 13, August 20, August 27, September 3, and September 10, 2011. The Concrete Heritage Museum will not be holding fundraiser breakfasts in 2011. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20110101)**

g) CONSERVATION FUTURES:

11. Cooperative Agreement with the U. S. Commodity Credit Corporation acting through the Natural Resources Conservation Service (USDA) and Skagit County for the 2011 Farm and Ranch Lands Protection Program. The agreement allows the County to accept a matching grant in the amount of \$335,000 to purchase agricultural conservation easements. The County's portion of \$335,000 will be drawn from the Conservation Futures fund. **(Contract No. C20110324)**

h) FACILITIES:

12. Vendor Services Agreement with Absolute Plumbing to provide drain cleaning services at the Skagit County Public Safety Building located at 600 South 3rd Street, Mount Vernon, or any other Skagit County facility as needed. The Agreement shall commence on the date of execution, and continue for two years. Compensation shall not exceed \$9,500. **(Contract No. C20110325)**

i) GEOGRAPHIC INFORMATION SERVICES:

13. Interlocal Cooperative Agreement with the City of Burlington, per Resolution No. R20050377, to provide geographic information services on a per project basis. The Agreement shall commence on the date of execution and continue for three years. Compensation rates will be based on actual costs for services, including overhead costs. **(Contract No. C20110326)**

j) HEALTH:

14. Contract with Community Pediatric Foundation of Washington to reimburse Skagit County for training services provided by Skagit County Public Health nurses to multiple childcare programs and family homes. The Contract shall commence on the date of execution, and continue until the completion of the services required by the Contract. Compensation to Skagit County shall not exceed \$1,000. **(Contract No. C20110327)**

k) HUMAN RESOURCES:

15. Memorandum of Agreement for a One Year Extension of Labor Agreement between the Board of County Commissioners and Skagit County Public

Works Department AFSCME Local #176, Skagit County Contract No. C20070463. **(Contract No. C20110328)**

16. Memorandum of Agreement by and between the Board of County Commissioners and Skagit County Public Works AFSCME Local #176-PW for closure days. **(Contract No. C20110329)**

l) PARKS, RECREATION AND FAIRGROUNDS:

17. Resolution regarding the sale of excess property to the Washington State University Cooperative Extension, 4-H Division. A Perfecta arena groomer shall be sold for \$250 in accordance with R.C.W. 36.34.130. **(Resolution No. R20110218)**
18. Vendor Services Agreement with Davis Amusements Cascadia for providing, managing and maintaining a carnival consisting of rides and gaming booths. The Agreement shall commence on August 8, 2011 and continue through August 14, 2011. The vendor shall compensate Skagit County either \$12,000 fixed fee, or 25% of ticket gross sales, whichever is greater, plus \$40 per gaming booth. **(Contract No. C20110330)**

m) PLANNING AND DEVELOPMENT SERVICES:

19. Assistance Amendment No. 2 to U.S. Environmental Protection Agency (EPA) Grant Agreement No. 00J08201, Skagit County Contract No. C20100339. This Amendment revises Administrative Condition 4 (Audit Requirements) and removes Programmatic Condition 7 (Information Technology - STORET). All other terms and conditions and the EPA funding amount remain the same. **(Amendment No. A20110102)**

n) PROSECUTING ATTORNEY:

20. Amendment No. 1 to Personal Services Agreement No. C20100659 with Orland D. Freeman to provide process and related services for Skagit County Prosecuting Attorney's Family Support, Civil or Criminal Divisions. This Amendment increases compensation by \$5,000. The new compensation amount shall not exceed \$10,000. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20110103)**

o) PUBLIC WORKS:

21. Resolution for approval of maps, plans and specifications and call for bids for the 2011 Asphalt Overlay Project #ESA011-1. The bid opening is scheduled to take place on Monday, August 15, 2011, at 2:00 p.m. **(Resolution No. R20110219)**
22. Resolution calling for a public hearing to consider testimony regarding the 2011-2016 Six-Year Transportation Improvement Program (TIP) Revision No. 2. The public hearing is scheduled to take place on Tuesday, August 16, 2011, at 8:30 a.m. **(Resolution No. R20110220)**

23. Resolution calling for a public hearing to consider testimony regarding the 2012-2017 Six-Year Transportation Improvement Program (TIP). The public hearing is scheduled to take place on Tuesday, August 16, 2011, at 8:30 a.m. **(Resolution No. R20110221)**
24. Drainage Easement granted by Dahlstedt Family Properties, LLC, over Parcel Number P21281, allowing for construction, erosion control, and long term maintenance of the Farm to Market Road (#31010) culvert located at milepost 0.65, just south of Ovenell Road. The Easement shall commence on the date of execution and is a permanent easement. **(This item was pulled from the Consent Agenda and will be considered for signature on Tuesday, July 26, 2011)**
25. Interlocal Cooperative Agreement with the Skagit Conservation District to provide public education and outreach services for County compliance with the National Pollutant Discharge and Elimination System Phase II requirements. The agreement shall commence upon the date of execution and continue through June 30, 2015. Maximum compensation over a four-year period is not to exceed \$84,000, nor exceed \$21,000 in any one year. **(Contract No. C20110331)**
26. Statutory Warranty Deed granted by Gilbert G. Pineda and Alma S. Pineda, Parcel P29393, for the purpose of acquiring real property for right-of-way to allow for the construction of roadway improvements in connection with the Anderson/LaVenture Road Extension Project No. ES71000-1, Federal Aid #STPUS-7337 (005). The acquisition shall commence upon execution. Compensation shall not exceed \$250,000.00. **(Contract No. C20110332)**
27. Temporary Easement granted by Christine Burkhart, within a portion of Parcel Number P69588, for riparian restoration work along Thunder Creek under the Natural Resource Stewardship Program. The Easement shall commence on the date of signature and expire ten years from the date of execution. **(Contract No. C20110333)**
28. Temporary Construction Easement granted by John Shea and Jeanne Shea, within a portion of Parcel Number P50067, for installation of large woody debris structures along the Samish River under the Natural Resource Stewardship Program. The Easement shall commence on the date of signature and expire one year from the date of execution. **(Contract No. C20110334)**
29. Temporary Easement granted by John Shea and Jeanne Shea, within a portion of Parcel Number P50067, for riparian restoration work along the Samish River under the Natural Resource Stewardship Program. The Easement shall commence on the date of signature and expire ten years from the date of execution. **(Contract No. C20110335)**
30. Approval of Local Agency Standard Consultant Agreement with TranTech Engineering, LLC for the bridge deck design, structural analysis and construction support services for the Samish River Prairie Road Bridge Deck Repair Project #ES50000-6. The contract was procured in compliance with R.C.W. 39.80 for professional services, using Skagit County's 2011 Consultant

Roster. Compensation shall not exceed \$50,000. **(Contract No. C20110336)**

31. Rent Supplemental Report for relocation assistance for Estela Lopez-Hernandez, relocated tenants of the Pineda Duplex, Parcel No. P29393 for the Anderson/LaVenture Road Extension, Cedardale to Blodgett, Federal Aid #STPUS-7337(005). Compensation shall not exceed \$15,618.00. **(Contract No. C20110337)**
32. Amendment No. 1 to Personal Services Agreement No. C20110242 with The Language Exchange, Inc. for the provision of written and verbal translation services. The purpose of this Amendment is to cover translation services for the Solid Waste Division Waste Reduction/Recycling Program. This Amendment increases compensation by \$3,200. The new compensation amount shall not exceed \$9,700. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20110104)**

p) SHERIFF:

33. Interlocal Cooperative Act Agreement for Mutual Aid with the Swinomish Indian Tribal Community to allow jurisdictions to voluntarily aid and assist each other in the provision of police protection. The Agreement shall commence upon the date of execution and continue for ten years, and shall be deemed renewed for ten additional years at the end of each term of renewal. There is no transfer of funds associated with this agreement, each party shall be responsible for its own costs. **(Contract No. C20110338)**
34. Contract with West Publishing Corporation for access to CLEAR Plus Web Analytics. The agreement shall commence upon the date of execution and shall continue for 36 months. Compensation shall not exceed \$4,712.40 plus applicable taxes. **(Contract No. C20110339)**

q) YOUTH AND FAMILY SERVICES:

35. Interlocal Cooperative Agreement with the Sauk-Suiattle Indian Tribe to provide detention facilities for tribal juvenile offenders through the use of the Skagit County Detention Facility. **(Contract No. C20110340)**

V. RATIFICATION AGENDA (Items 36 through 43):

r) COMMUNITY SERVICES:

36. Resolution authorizing the ratification of Amendment No. 1 to Interlocal Agreement No. C20100361 with the Washington State Department of Social and Health Services (DSHS). Administrative delays at DSHS postponed the completion of this Amendment. **(Resolution No. R20110222)**
37. Amendment No. 1 to Interlocal Cooperative Agreement No. C20100361 with the Washington State Department of Social Health Services (DSHS) to provide funding for Functional Family Therapy for youth and their families as referred by DSHS Children's Administration. This Amendment extends the Agreement through June 30, 2012. All other terms and conditions of the

original agreement shall remain in effect. **(Amendment No. A20110105)**

38. Resolution authorizing the ratification of Amendment No. 1 to County Program Agreement No. C20100547 with the Washington State Department of Social & Health Services (DSHS), Division of Behavioral Health Recovery to provide funding for the Residential Substance Abuse Treatment services to offenders in the Skagit County Jail. Negotiation of the contract amendment terms delayed finalization of the Amendment. **(Resolution No. R20110223)**
39. Amendment No. 1 to County Program Agreement C20100547 with the Washington State Department of Social & Health Services (DSHS), Division of Behavioral Health Recovery to provide funding for the Residential Substance Abuse Treatment services to offenders in the Skagit County Jail. The purpose of this Amendment is to extend the Agreement end date to September 30, 2011, and to add additional language to the Statement of Work. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20110106)**
40. Resolution authorizing the ratification of a County Program Agreement with the Washington State Department of Social Health Services (DSHS), Division of Developmental Disabilities to provide funding for development disability services to clients in the community. Receipt of the Agreement was delayed beyond the original start date due to DSHS' need to analyze the state budget employment and day program allocations. **(Resolution No. R20110224)**
41. County Program Agreement with the Washington State Department of Social and Health Services (DSHS), Division of Developmental Disabilities to provide funding for developmental disability services to clients in the community. The Agreement commenced on July 1, 2011, and shall continue until June 30, 2012. Compensation to Skagit County shall not exceed \$1,189,461. **(Contract No. C20110341)**

s) NOXIOUS WEED:

42. Resolution authorizing the execution of an Interlocal Cooperative Agreement with the Samish Indian Nation for knotweed control in the Samish River Watershed. A signed Agreement was not received prior to the commencement date of July 1, 2011. **(Resolution No. R20110225)**
43. Interlocal Cooperative Agreement between the Samish Indian Nation for knotweed control in the Samish River Watershed. The Agreement commenced on July 1, 2011, and shall continue until October 15, 2011. Compensation to Skagit County shall not exceed \$14,000. **(Contract No. C20110342)**

VI. MISCELLANEOUS:

1. Brian Adams, Director of Skagit County Parks, Recreation and Fairgrounds presented a Resolution Supporting Partnership with the Skagit Land Trust and Ducks Unlimited for Conservation of Lands. Mr. Adams stated that Ducks Unlimited and the Skagit County Land Trust are planning to purchase and protect

250 acres of land in the Barney Lake and Nookachamps area. He indicated that Skagit County Parks and the Parks Advisory Board were supportive of the purchase.

Mr. Adams stated that the County owns the Nicol's Bar property and would provide a land match to contribute toward the purchase of the Barney Lake Area lands. He indicated that the Nicol's Bar property would have additional encumbrances placed on it but that would not impact its current use or the protection of the purchased property by the Skagit Lowlands Conservation Collaborative.

Martha Bray with the Skagit Land Trust was present to answer questions and provide additional information. Ms. Bray indicated that some of the land that would be purchased was being used for hay and pasture land. She said that the use of the land would not change after the purchase.

A motion was made by Commissioner Dahlstedt to approve a Resolution to support the partnership with the Skagit Land Trust and Ducks Unlimited for Conservation Lands in the Barney Lake Area. **(Resolution No. R20110226)** Chairman Wesen seconded the motion.

2. Henry Hash, Director of Skagit County Public Works, presented a Resolution Declaration of Emergency for the Vehicle and Passenger Ferry, M/V Guemes. Mr. Hash stated that due to an engine failure that occurred on Friday, July 22, 2011, it was necessary to seek emergency repairs immediately in order to prevent disruption of an essential transportation service to the public.

A motion was made by Commissioner Dahlstedt to approve a Resolution Declaration of Emergency for the Vehicle and Passenger Ferry, M/V Guemes. **(Resolution No. R20110227)** Chairman Wesen seconded the motion.

#### VII. 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 \$240,885.79 (Transmittal No. C-75-11); and
  - b) Warrants numbered 344667 through 345031 from Clearing Fund 696 in the total dollar amount of \$7,135,078.81 (Transmittal No. C-76-11); and
  - c) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$122,879.74 (Transmittal No. C-77-11); and
  - d) Warrants numbered 340532 through 345477 from Clearing Fund 696 in the total dollar amount of \$1,574,410.26 (Transmittal No. C-78-11); and
  - e) ACH Transfer Request Form and Certification to Trusteed Plans Service



Corporation from Clearing Fund 696 in the total dollar amount of \$60,677.19 (Transmittal No. C-79-11); and

- f) Payroll warrants number 284407 through 285126 in the total dollar amount of \$1,118,861.76 (Transmittal No. P-27-11); and
- g) Junior District Payroll warrants number 993387 through 993563 in the total dollar amount of \$261,616.79 (Transmittal No. P-28-11).

VIII. ADJOURNMENT:

Chairman Wesen adjourned the proceedings at 1:41 a.m.

There were no executive sessions scheduled for Monday, July 25, 2011.

**BOARD OF COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON**

\_\_\_\_\_  
Ron Wesen, Chairman

\_\_\_\_\_  
Kenneth A. Dahlstedt, Commissioner

\_\_\_\_\_  
Sharon D. Dillon, Commissioner

ATTEST:

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Linda Hammons, Clerk of the Board