

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, SEPTEMBER 26, 2011**

The Skagit County Board of Commissioners met in regular session on Monday, September 26, 2011, with Commissioners Ron Wesen, Kenneth A. Dahlstedt, and Sharon D. Dillon present.

I. CALL TO ORDER:

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

II. PLEDGE OF ALLEGIANCE:

Chairman 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) 1:30 p.m. - 2:00 p.m. Consent Agenda, Vouchers, Warrants, and Miscellaneous Items

A motion was made by Commissioner Dahlstedt to approve the Consent Agenda Items 1, 3 through 13, Ratification Items 14 through 23, vouchers and warrants for Monday, September 26, 2011. Commissioner Dillon seconded the motion.

The vote passed unanimously.

- c) *2:00 p.m. - 3:00 p.m. Executive Session (Litigation)
- d) *3:00 p.m. - 4:30 p.m. Executive Session (None Scheduled as of the Date of this Notice)

IV. CONSENT AGENDA (items 1 through 13):

a) COMMISSIONERS' OFFICE:

- 1. Record of the Proceedings for Monday, September 19, 2011. **(approved)**
- 2. Record of the Proceedings for Tuesday, September 20, 2011. **(postponed)**

b) ASSIGNED COUNSEL:

- 3. Personal Services Agreement with Felix Moran-Stanwood Camano Investigations to provide investigative services for pro se defendants as ordered by Superior Court. The Agreement shall commence on October 1, 2011, and shall continue until December 31, 2012. Compensation shall not exceed \$75,000. **(Contract No. C20110419)**

c) BUDGET AND FINANCE:

4. Interlocal Agreement with the Port of Skagit to award Economic Development Public Facility grant funds for the Commercial Kitchen Incubator project. The Agreement commenced on September 20, 2011, per Resolution No. R20110298, and continues until March 19, 2013. Compensation shall not to exceed \$84,622. **(Contract No. C20110420)**

d) COMMUNITY SERVICES:

5. Interlocal Cooperative Agreement with Northwest Educational Service District 189 to support substance abuse treatment and outreach programming to youth residing in the Concrete, Anacortes, La Conner and Sedro-Woolley School Districts. The Agreement shall commence on October 1, 2011, and continue until June 30, 2012. Compensation is not to exceed \$30,000, and is funded through the Division of Behavioral Health and Recovery (DBHR) and the 1/10 sales tax. **(Contract No. C20110421)**

e) FACILITIES:

6. Amendment No. 1 to Vendor Services Agreement No. C20100309 with KONE, Inc., which adds the hydraulic conveyance elevator at 1800 Continental Place to State Contract #01507. Compensation is increased by \$22,000, for a new total not to exceed \$46,000. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20110129)**

f) INFORMATION SERVICES:

7. Personal Services Agreement with Code Publishing, Inc. to provide codification, paper copies and electronic copy of Skagit County Code. The Agreement shall commence on the date of execution and continue until December 31, 2014. Compensation will be determined by invoicing for services per Exhibit "B". **(Contract No. C20110422)**

g) PLANNING AND DEVELOPMENT SERVICES:

8. Interlocal Agreement with the Port of Skagit regarding the Bayview Ridge Subarea Planned Unit Development Ordinance and Development Standards Project. The Agreement shall commence on the date of execution and continue through July 1, 2012. **(Contract No. C20110423)**

h) PUBLIC WORKS:

9. Resolution awarding bid for as-needed maintenance and repair service to Industrial Power Supply, Inc., dba Skagit Hydraulics to perform work at various Skagit County sites and facilities for one year. Compensation shall not exceed \$34,500. **(Resolution No. R20110299)**
10. Construction Contract Agreement with Taylor's Excavators, Inc. for the Farm to Market Road Culvert Replacement Project # WA402134, as approved by Resolution No. R20110266. The Agreement shall commence on the date of

execution. Compensation shall not exceed \$143,309. **(Contract No. C20110424)**

11. Supplemental Agreement No. 3 to Local Agency Standard Consultant Agreement C20090604 with URS Corporation for the Skagit County Transfer & Recycling Station Project #WMP50-11. This Supplement extends the completion date to December 31, 2012. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20110130)**
12. Local Agency Standard Consultant Agreement with GeoEngineers, Inc. to provide on-call geotechnical and environmental services. The Agreement shall commence on the date of execution and continue until December 31, 2013. Compensation shall not exceed \$150,000. **(Contract No. C20110425)**
13. Local Agency Standard Consultant Agreement with DKG, Inc. dba Widener & Associates, for on-call environmental and construction support services. The Agreement shall commence on the date of execution and continue until December 31, 2013. Compensation shall not exceed \$150,000. **(Contract No. C20110426)**

V. RATIFICATION AGENDA (Items 14 through 23):

i) COMMUNITY SERVICES:

14. Resolution authorizing the ratification of Amendment No. 1 to Program Agreement No. C20110203 with the State of Washington Department of Social and Health Services (DSHS No. 1163-24773) through the Division of Behavioral Health and Recovery which provides funding to Skagit County to implement the WA-CARES program for substance abuse treatment and support services to Drug Court clients. The receipt of the Agreement delayed the finalization of the Amendment before the commencement on August 16, 2011. **(Resolution No. R20110300)**
15. Amendment No. 1 to Program Agreement No. C20110203 with the State of Washington Department of Social and Health Services (DSHS No. 1163-24773) through the Division of Behavioral Health and Recovery which provides funding to Skagit County to implement the WA-CARES program for substance abuse treatment and support services to Drug Court clients. This Amendment increases compensation by \$19,000, for a new total compensation amount from DSHS not to exceed \$65,585. The Amendment commenced on August 16, 2011, and continues until September 30, 2011. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20110131)**
16. Resolution authorizing the ratification of an Interlocal Agreement with Mount Vernon 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. Administrative delays and school Board meetings delayed the finalization of the Agreement before the commencement on September 1, 2011. **(Resolution No. R20110301)**

17. Interlocal Agreement with Mount Vernon 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 commenced on September 1, 2011, and shall continue until August 31, 2012. The Mount Vernon School District shall reimburse Skagit County \$26,584.43. **(Contract No. C20110427)**

j) DEPARTMENT OF EMERGENCY MANAGEMENT:

18. Resolution authorizing the ratification of the Grant Agreement with Northwest Clean Air Agency to provide funding assistance to Skagit County for the costs and expenses associated with the 2011 Skagit County Fire Warden Program. The need for this Grant was not known until recently and so could not be fully executed before the commencement on August 25, 2011. **(Resolution No. R20110302)**
19. Grant Agreement with Northwest Clean Air Agency to provide funding assistance to Skagit County for the costs and expenses associated with the 2011 Skagit County Fire Warden Program. The Agreement commenced on August 25, 2011, and shall continue until March 31, 2012. Northwest Clean Air Agency shall compensate Skagit County in the dollar amount not to exceed \$9,000. **(Contract No. C20110428)**

k) OFFICE OF JUVENILE COURT:

20. Resolution authorizing the ratification of Grant Award Agreement No. 2011-DJ-BX-2692 with the Department of Justice Office of Justice Programs to receive funds from the Edward Byrne Memorial Justice Assistance Grant (JAG) Program to be used to support the Skagit Juvenile Victim Offender Meeting Program that is administered by the Volunteers of America. The Grant was awarded to Skagit County on August 16, 2011, but is effective beginning October 1, 2010. **(Resolution No. R20110303)**
21. Grant Award Agreement No. 2011-DJ-BX-2692 with the Department of Justice Office of Justice Programs to receive funds from the Edward Byrne Memorial Justice Assistance Grant (JAG) Program to be used to support the Skagit Juvenile Victim Offender Meeting Program that is administered by the Volunteers of America. The Agreement began October 1, 2010, and shall continue until September 30, 2014. Skagit County was awarded \$10,887. **(Contract No. C20110429)**

l) PUBLIC WORKS:

22. Resolution authorizing the ratification of Amendment No. 3 to Interlocal Agreement No. C20090491 (Coastal Zone Management Fund Grant Agreement #G1000022) with the Washington State Department of Ecology. Due to the unforeseen position vacancy of the Washington State University Stewardship Program Manager, the County was unable to complete portions of Task 2 and 6. The County has accomplished all other required

performance items set forth in the Agreement with Washington State Department of Ecology, except Task 10, which is currently in process, and the Department of Ecology requires all remaining funds no longer required and not pertaining to Task 10 under this Agreement to be de-obligated. **(Resolution No. R20110304)**

23. Amendment No. 3 to Interlocal Agreement No. C20090491 (Coastal Zone Management Fund Grant Agreement #G1000022) with the Washington State Department of Ecology. This Amendment includes revisions to Tasks 2 and 6. Some of the tasks were completed under budget, were reduced in size, or could not be completed, and so this Amendment also reduces compensation by \$70,498.33 for a new total grant amount of \$199,501.67. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20110132)**

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 348163 through 348664 from Clearing Fund 696 in the total dollar amount of \$3,339,166.20 (Transmittal No. C-99-11); and
 - b) Payroll warrants numbered 287330 through 288049 in the total dollar amount of \$1,133,551.40 (Transmittal No. P-35-11).

VII. ADJOURNMENT:

Chairman Wesen adjourned the proceedings at 1:31 p.m.

The Commissioners attended an executive session from 2:07 p.m. to 2:31 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 attorneys were present at the executive session and gave legal advice to the Board of County Commissioners: Will Honea. Commissioners Ron Wesen, Ken Dahlstedt, and Sharon Dillon, and County Administrator Tim Holloran also attended the executive session.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Ron Wesen, Chairman

Kenneth A. Dahlstedt, Commissioner

Sharon D. Dillon, Commissioner

ATTEST:

Linda Hammons, Clerk of the Board