

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
TUESDAY, OCTOBER 18, 2011**

The Skagit County Board of Commissioners met in regular session on Tuesday, October 18, 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 10:36 a.m.

II. PLEDGE OF ALLEGIANCE:

Chairman Wesen led the gallery in the salute to the flag.

III. AGENDA:

- a) *8:30 a.m. - 9:30 a.m. Briefing - County Commissioners/County Administrator
- b) *9:30 a.m. - 10:30 a.m. Executive Session (Personnel)

The Commissioners attended an executive session on Tuesday, October 18, 2011 from 9:42 a.m. to 10:35 a.m. The purpose of the executive session was Personnel Disciplinary Matters - RCW 42.30.110(1)(f). (Matters relating to complaints against County employee or elected official.)

- c) 10:30 a.m. - 11:00 a.m. Presentation/Discussion: Skagit County Forest Advisory Board - Kendra Smith, Natural Resource Lands Policy Coordinator

1. American Alps Legacy Proposal

Kendra Smith, Natural Resources Lands Policy Coordinator and staff person for the Forest Advisory Board was present to introduce members of the Forest Advisory Board Tom Nelson and Aubrey Stargell. Ms. Smith stated that the Forest Advisory Board had questions, concerns and recommendations regarding the American Alps Proposal.

Tom Nelson and Aubrey Stargell provided a PowerPoint presentation that depicted the proposed areas of the American Alps Legacy Proposal for the North Cascades National Park.

Mr. Nelson and Mr. Stargell indicated that under the American Alps Proposal the North Cascades National Park would increase in size by 237,732 acres. They indicated that 94,644 acres would be taken from the Ross Lake National Recreation Area, and that an additional 143,053 would be taken from the U.S. Forest Service. They stated that the proposal would convert the land base and change the multiple use opportunities of these areas, which would limit recreational use, endanger forest health, and would not benefit the local community. It was stated that there was a lack of understanding of what the implications to the community would be if the Proposal were to move forward.

Mr. Nelson and Mr. Stargell said that there had been significant investment spent on infrastructure in the Park and that if the Proposal moved forward in its current state, there would be millions of dollars lost if the roads were abandoned. The Proposal would add to the burden of maintenance that would have to be done to the roads and that Parks Service did not have the funding available to accomplish the infrastructural changes proposed.

It was indicated that approximately 58% of the people using the recreational lands in the North Cascades are local Skagit County residents. The Proposal would limit access to the recreational areas; limit the ability to manage the forest areas, and revenue would be lost that would have been provided to schools, the federal government, and to the County's general fund.

Consulting Forester Paul Wagoner clarified that 10% of forest harvesting revenues provide for road and trail maintenance.

Chip Jenkins, North Cascades National Park Superintendent, stated that the American Alps Proposal was not generated by the National Parks Service, or the Forest Service. Mr. Jenkins thanked the County for continuing to maintain the Cascade River Road. Mr. Jenkins said that the North Cascades National Park was one of the few parks that do not have an entrance fee and that they were a low infrastructure park and would continue to be.

Commissioner Dillon thanked everyone for presentation.

Commissioner Dahlstedt said that he could not support inflicting more exclusions on the public's right to access public lands. He said that after hearing the presentation today he would not support the American Alps Proposal because too much would be lost for too many people.

Chairman Wesen agreed with Commissioner Dahlstedt and said that trees were sustainable, and needed to be harvested in order to maintain a healthy forest.

Chairman Wesen recessed the proceedings at 11:06 a.m.

d) 11:00 a.m. - 11:30 a.m. Public Works - Henry Hash, Director:

Chairman Wesen reconvened the proceedings at 11:08 a.m.

1. Work Session: U.S. Army Corps of Engineers Flood Awareness Week

Division Manager Natural Resources Dan Berentson said that the week of October 17, 2011, was Flood Awareness Week and that there was a long list of activities associated with the event. He introduced Army Corps of Engineers Eric Winters.

Mr. Winters said that over the past several months he had been working in Skagit County as Construction Lead for several projects. He estimated that approximately eight million dollars had been spent to do rehabs to Dike Districts, 1, 3, 12, 17, and 22. He said that the most extensive work was accomplished in Dike Districts 12 and 17.

Mr. Winters introduced the Skipper for the Debris Vessel M/V Puget Skip

Green.

The Commissioners thanked the Army Corps of Engineers, the cities, and the dike districts for all their hard work in repairing and maintaining the dikes.

Public Works Project Manager Lorna Ellestad asked Mr. Green to provide an overview of the Army Corps of Engineers role regarding debris and the debris installation at the dike districts.

Mr. Green responded and stated that the mission of the Debris Vessels was to remove debris from navigational channels and harbors. He stated that the M/V Puget's area of operation stretched from Canada down to Olympia. He went on to say the M/V Puget did not collect debris from the Skagit River. He indicated that the debris was collected and taken to locks in Seattle, where the material was loaded onto floating barges.

2. Miscellaneous

There were no miscellaneous items for Public Works to discuss.

Chairman Wesen recessed the proceedings at 11:27 a.m.

e) 11:30 a.m. - 11:45 a.m. Public Comment Period

Chairman Wesen reconvened the proceedings at 11:33 a.m.

Professional Forestry Consultant Paul Wagoner provided a PowerPoint presentation and commented on the United States Department of Agriculture Forest Service's plan to Decommission 14.5 miles of road (Road 16) in the Illabot Creek Drainage to reduce road maintenance needs and the risk of road failure and sediment delivery to Illabot Creek. He indicated that in order to have standing, public comment letters must be submitted prior to the end of the public comment period on November 3, 2011. He discussed the loss of access to the area, and the unique recreational experience the area provided.

Mr. Wagoner indicated it would cost \$593,260 to decommission the Illabot Road, which would save the Forest Service \$8,500 per year in maintenance costs.

Mr. Wagoner went on to discuss Bacon Creek and its relation to the American Alps Proposal. He said that there were approximately 2,500 acres of second growth timber in the Bacon Creek area, which would produce revenue for Skagit County.

Chairman Wesen recessed the proceedings at 11:49 a.m.

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

g) 2:00 p.m. - 2:30 p.m. Proclamation: October 17 through October 23, 2011, as Adult Literacy Week in Skagit County

Chairman Wesen reconvened the proceedings at 2:00 p.m.

Community Services Director for Skagit County Community Action Agency Lynn Christopherson was present to provide a PowerPoint presentation regarding the importance of adult literacy in the community.

Commissioner Dahlstedt read a Proclamation declaring October 17, through October 23, 2011, as Adult Literacy Week in Skagit County.

Chairman Wesen recessed the proceedings at 2:28 p.m.

- h) 2:30 p.m. - 3:30 p.m. Planning and Development Services - Gary Christensen, Director:

Chairman Wesen reconvened the proceedings at 2:33 p.m.

1. Proclamation: October as National Community Planning Month in Skagit County

Senior Planner Kirk Johnson requested that the Board of County Commissioners declare the month of October as Community Planning Month in Skagit County.

Commissioner Dahlstedt made a motion to approve the Proclamation declaring October as Community Planning Month in Skagit County. Commissioner Dillon seconded the motion, which passed unanimously.

2. Discussion: 2011 Comprehensive Plan Amendment Docket Process Memorandum

Mr. Johnson stated that Planning and Development Services Department had received four timely applications in this year's Comprehensive Plan Amendment (CPA) cycle, all the Amendments proposed would amend the Skagit County Comprehensive Plan and Zoning Map. He listed the four Amendments as follows:

1. James Ritchie, map amendment proposal (PL11-0239);
2. Art Jensen, map amendment proposal (PL11-0240);
3. Triton-American LLC, map amendment proposal (PL11-0249); and
4. Lake Erie Trucking (Bill Wooding), map amendment proposal (PL11-0250).

Mr. Johnson stated that the Department is proposing the three county-initiated Comprehensive Plan policy amendments:

- C-1. Policy amendment proposal to further refine rezone requirements for Rural Intermediate and Rural Village land use designations;
- C-2. Minor "housekeeping" policy and text amendments to correct scrivener's errors; and
- C-3. Amendment to integrate the outcome of the Bayview Ridge PUD Ordinance and Master Site Plan process into the Bayview Ridge Subarea Plan.

Mr. Johnson requested the Board of County Commissioners schedule a date and time for a public hearing to consider testimony regarding whether to

docket the various proposals.

A motion was made by Commissioner Dillon to approve scheduling a public hearing for Tuesday, November 8, 2011, allow 15 minutes at 1:30 p.m. for the Department to provide a briefing with the public hearing beginning at 1:45 p.m. or soon thereafter. Commissioner Dahlstedt seconded the motion.
The vote passed unanimously.

3. Miscellaneous

There were no miscellaneous items for Planning and Development Services to discuss.

- i) *3:30 p.m. to 4:30 p.m. Executive Session (None Scheduled as of the Date of this Notice)

IV. CONSENT AGENDA FOR TUESDAY, OCTOBER 18, 2011 (items 1 through 14):

Chairman Wesen reconvened the proceedings at 1:30 p.m.

A motion was made by Commissioner Dillon to approve the Consent Agenda items 1 through 14, Ratification Agenda items 15 through 30, vouchers and warrants for Tuesday, October 18, 2011. Commissioner Dahlstedt seconded the motion.
The vote passed unanimously.

a) COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Monday, October 10, 2011. **(Approved)**
2. Record of the Proceedings for Tuesday, October 11, 2011. **(Approved)**

b) COMMUNITY SERVICES:

3. Grant award from the U.S. Department of Justice Office of Justice Programs, Bureau of Justice Assistance, Award No. 2011-DC-BX-0016, awarding \$162,914 in grant funding to the expand the current Adult Drug Court Enhancement project to include driving under the influence (DUI) offenders. The term of the grant is from October 1, 2011 to September 30, 2013. **(Contract No. C20110444)**
4. Resolution appointing Matt Helt to serve a three-year term on the Skagit County Mental Health Advisory Board. Mr. Helt's term shall commence on the date of execution and continue until October 31, 2014. **(Resolution No. R20110316)**
5. Resolution reappointing Joan Lubbe to serve a three-year term on the Skagit County Mental Health Advisory Board. Her term shall commence on the date of execution and continue until October 31, 2014. **(Resolution No.**

R20110317)

6. Resolution authorizing the allocation of Millage Mental Health funds for 2012, as recommended by the Mental Health Advisory Board. **(Resolution No. R20110318)**
7. Resolution authorizing the allocation of Developmental Disabilities funds for 2012, as recommend Developmental Disabilities Advisory Board. **(Resolution No. R20110319)**
8. Amendment No. 1 to Personal Services Agreement No. C20100422 with Sea Mar Community Health to provide mental health services as referred and pre-authorized by the County. The purpose of this Amendment to amend Section IA of Exhibit "C" Compensation for services provided. This Amendment adds an additional \$10,000 in compensation, for a new compensation amount not to exceed \$30,000. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20110143)**

c) FACILITY MANAGEMENT:

9. Resolution awarding the Metal Roof Retrofit Project at the Skagit County Food Distribution Center, located at 220 Michael Street, Sedro-Woolley, to Esary Roofing & Siding Co., Inc. in the amount of \$17,100 (plus applicable sales tax.) Esary Roofing & Siding Co., Inc. was the lowest bidder to meet the specifications. Skagit County issued a Small Works Roster Invitation to Bid for this project. **(Resolution No. R20110320)**

d) HEALTH:

10. Memorandum of Understanding with Skagit County Community Action Agency to support the United States Department of Agriculture (USDA) Loving Support Breastfeeding Peer Counseling Program to increase breastfeeding initiation and duration rates among women, infants, and children (WIC) clients in Skagit County. The Agreement shall commence on the date of execution and continue for a period of 12 months. There is no financial consideration associated with this Agreement. **(Contract No. C20110445)**

e) PARKS, RECREATION, AND FAIRGROUNDS:

11. Vendor Services Agreement with Economy Fence Center, a division of JKS Enterprises, Inc. to construct and install 194' of galvanized chain link fence with a 6' wide pedestrian gate to be located at the north side of Building A at the Skagit County Fairgrounds, located at 1410 Virginia Street in Mount Vernon. The Agreement shall commence on the date of execution and continue for one year. Compensation shall not exceed \$4,455.68, including applicable sales tax. **(Contract No. C20110446)**

f) PLANNING AND DEVELOPMENT SERVICES:

12. Modification No. 0001 to Grant Agreement No. DTPH56-10-G-PHPT12,

Skagit County Agreement No. C20100469, with the U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration, which awarded funding in the amount of \$49,667 to Skagit County to develop regulations pertaining to transmission pipeline safety. The purpose of this Modification is to extend the period of performance through January 31, 2012. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20110144)**

g) PUBLIC WORKS:

13. Temporary Easement with the United States of America in Trust for the Upper Skagit Indian Tribe, and Letitia J. Brown, as the successor to the Tribal Trust Allotment of Frank Bob, for a portion of Skagit County Assessor Tax Parcel Number P49441. The purpose of the Temporary Easement is to allow work on the restoration project associated with the Natural Resource Stewardship Program. The work includes bank stabilization and enhancement of riparian areas on private property located adjacent to Friday Creek. The Temporary Easement shall commence on the date of execution and continue for ten years. All work associated with this temporary conservation easement is 75% funded by the Washington State Department of Ecology Grant No. G0900062, Natural Resource Stewardship Program, Skagit County Grant Funding Agreement No. C20080607, and is 25% funded by the Clean Water Fund. **(Contract No. C20110447)**
14. Vendor Services Agreement with Industrial Power Supply, Inc. dba Skagit Hydraulics to provide hydraulic maintenance and repair to Skagit County Public Work sites that includes, but are not limited to: 1) Guemes Island Ferry facilities, 2) Solid Waste facilities and, 3) Operations facilities. The Agreement shall commence on the date of execution and continue for one year. Compensation shall not exceed \$34,500. **(Contract No. C20110448)**

V. RATIFICATION AGENDA (Items 15 through 30):

h) COMMUNITY SERVICES:

15. Resolution authorizing the ratification of an Interlocal Cooperative Agreement with the LaConner School District to provide Truancy Intervention Specialist services. Administrative delays were experience in the school district, which delayed the approval of the Agreement. **(Resolution No. R20110321)**
16. Interlocal Cooperative Agreement with the LaConner School District to provide Truancy Intervention Specialist services. The Agreement commenced on September 1, 2011, and shall continue until August 31, 2012. Compensation to Skagit County shall not exceed \$565.63. **(Contract No. C20110449)**
17. Resolution authorizing the ratification of an Interlocal Cooperative Agreement with the Burlington-Edison School District to provide Truancy Intervention Specialist services. Administrative delays were experience in the school district, which delayed the approval of the Agreement.

(Resolution No. R20110322)

18. Interlocal Cooperative Agreement with the Burlington-Edison School District to provide Truancy Intervention Specialist services. The Agreement commenced on September 1, 2011, and shall continue until August 31, 2012. Compensation to Skagit County shall not exceed \$5,373.45. **(Contract No. C20110450)**
19. Resolution authorizing a Personal Services Agreement with Skagit County Community Action Agency to coordinate activities and sub-contract with the Center for Capacity Building to provide a local HEARTH Implementation clinic to develop a centralized area homeless prevention and intervention service strategy. Administrative delays resulting from receipt of plans regarding this forum from a key partner, the Center for Capacity Building, delayed the drafting of an Agreement with Skagit County Community Action Agency. **(Resolution No. R20110323)**
20. Personal Services Agreement with Skagit County Community Action Agency to coordinate activities and sub-contract with the Center for Capacity Building to provide a local HEARTH Implementation clinic to develop a centralized area homeless prevention and intervention service strategy. The Agreement commenced on October 1, 2011, and shall continue until December 31, 2011. Compensation shall not exceed \$5,330. **(Contract No. C20110451)**

i) HEALTH:

21. Resolution authorizing the ratification of Amendment No. 4 to Coordinated Prevention Grant Agreement No. G1000459, Skagit County contract No. C20100038 with the State of Washington Department of Ecology to provide funding for the continuation of the Solid Waste Enforcement Program. The grantor provided documents for signature after the contract amendment commencement of date of July 1, 2011. **(Resolution No. R20110324)**
22. Amendment No. 4 to Coordinated Prevention Grant Agreement No. G1000459, Skagit County contract No. C20100038 with the State of Washington Department of Ecology to provide funding for the continuation of the Solid Waste Enforcement Program. The purpose of this Amendment is to provide additional funding in the amount \$18,985.75 for additional quarter activities within the scope of work. The new funding amount shall not exceed \$113,916.75. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20110145)**

j) OFFICE OF JUVENILE COURT:

23. Resolution authorizing the ratification of a Personal Services Agreement with Volunteers of America to administer the Victim Offender Meeting Program. A signed document was not received in time to fully execute the Agreement prior to the commencement date of October 1, 2011. **(Resolution No. R20110325)**
24. Personal Services Agreement with Volunteers of America, to administer the

Victim Offender Meeting Program funded by the Edward Byrne Memorial grant. The Agreement commenced on October 1, 2011, and shall continue until December 31, 2012. Compensation shall not exceed \$10,887. All expenses are paid with the Edward Byrne Memorial grant. **(Contract No. C20110452)**

k) PUBLIC WORKS:

25. Resolution authorizing the ratification of Grant No. G1200104 with the State of Washington Department of Ecology to provide funding for much-needed toilet facilities at several highly used recreational locations as part of the Clean Samish Initiative. Pre-authorization from the Department of Ecology for Skagit County to incur expenses for the project, Reducing Fecal Coliform from Recreational Users, was not received in time to fully execute the Agreement prior to the commencement date of August 1, 2011. **(Resolution No. R20110326)**
26. Grant No. G1200104 with the State of Washington Department of Ecology to benefit water quality on the Samish River by providing funding for much-needed toilet facilities at several highly used recreational locations as part of the Clean Samish Initiative, Reducing Fecal Coliform from Recreational Users project. The Agreement commenced on August 1, 2011, and shall continue until June 30, 2012. Total grant funds shall not exceed \$6,508. Compensation from Skagit County shall not exceed \$2,400, for a total compensation amount not to exceed \$8,908. **(Contract No. C20110453)**
27. Resolution authorizing the ratification of a Personal Services Agreement with the Skagit Conservation Education Alliance (SCEA) to conduct community education and outreach services as part of the Clean Samish Initiative, Reducing Fecal Coliform from Recreational Users project. Pre-authorization from the Department of Ecology for Skagit County to incur expenses for the project was not received in time to fully execute the Agreement prior to the commencement date of August 1, 2011. **(Resolution No. R20110327)**
28. Personal Services Agreement with Skagit Conservation Education Alliance (SCEDA) to conduct community education and outreach services as part of the Clean Samish Initiative, Reducing Fecal Coliform from Recreational Users project. The Agreement commenced on August 1, 2011, and shall continue until June 30, 2012. Compensation shall not exceed \$6,508. **(Contract No. C20110454)**

l) SHERIFF:

29. Resolution authorizing the ratification of a Memorandum of Agreement with the Town of LaConner to provide the use of generator equipment, identified as a Honda Diesel Generator, Model EB 12D. The County-owned equipment shall provide back-up electrical services during emergencies or other periods of disruption of normal electrical availability to shared office space occupied by the Sheriff's office and the Town of LaConner. A Signed Memorandum of Agreement was only recently received from the Town on completion of negotiations. **(Resolution No. R20110328)**

30. Memorandum of Agreement with the Town of LaConner to provide the use of generator equipment, identified as a Honda Diesel Generator, Model EB 12D. The County-owned equipment shall provide back-up electrical services during emergencies or other periods of disruption of normal electrical availability to shared office space occupied by the Sheriff's office and the Town of LaConner. The Agreement commenced on June 28, 2011, and shall continue for ten years. All costs associated with the generator will be incurred by the Town. **(Contract No. C20110455)**

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 \$208,147.15 (Transmittal No. C-106-11); and
 - b) Warrants numbered 349381 through 349681 from Clearing Fund 696 in the total dollar amount of \$1,998,126.58 (Transmittal No. C-107-11); and
 - c) Warrants numbered 349682 through 349682 from Clearing Fund 696 in the total dollar amount of \$27,500.00 (Transmittal No. C-108-11).

VII. ADJOURNMENT:

Chairman Wesen adjourned the proceedings at 2:55 p.m.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Ron Wesen, Chairman

Kenneth A. Dahlstedt, Commissioner

Sharon D. Dillon, Commissioner

ATTEST:

Linda Hammons, Clerk of the Board