

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, OCTOBER 31, 2011**

The Skagit County Board of Commissioners met in regular session on Monday, October 31, 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) *11:00 a.m. - 1:00 p.m. Skagit Council of Governments Board Retreat (204 W. Montgomery Street, Mount Vernon)
- b) 1:30 p.m. - 2:00 p.m. Consent Agenda, Vouchers, Warrants, and Miscellaneous Items
- c) *2:00 p.m. - 2:30 p.m. Executive Session (Potential Litigation)

The Commissioners attended an executive session on Monday, October 31, 2011, from 2:04 p.m. to 2:13 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: Chief Civil Deputy Prosecuting Attorney Will Honea, and Deputy Prosecuting Attorney Arne Denny.

- d) *2:30 p.m. - 3:34 p.m. Executive Session

The Commissioners attended an executive session on Monday, October 31, 2011, from 2:30 p.m. to 3:34 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: Chief Civil Deputy Prosecuting Attorney Will Honea, Deputy Prosecuting Attorney Arne Denny, and Deputy Prosecuting Attorney Ryan Walters.

IV. CONSENT AGENDA FOR MONDAY, OCTOBER 31, 2011 (items 1 through 17):

A motion was made by Commissioner Dillon to approve Consent Agenda items 1 through 17, Ratification Agenda items 18 through 32, vouchers and warrants for Monday, October 31, 2011. Commissioner Dahlstedt seconded the motion.

- a) COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Monday, October 24, 2011. **(Approved)**
 2. Record of the Proceedings for Tuesday, October 25, 2011. **(Approved)**
- b) APPOINTMENT:
3. Resolution to appoint Sybil Jensen to fill the position vacated by John Rasmussen on the Skagit County Citizens' Commission on Salaries for Elected Officials. Ms. Jensen's term shall commence on the date of execution and shall continue until November 12, 2013. **(Resolution No. R20110337)**
- c) ADMINISTRATIVE SERVICES:
4. Interlocal Cooperative Agreement with the Port of Skagit County to award Economic Development Public Facility grant funds. The Agreement commenced on September 20, 2011, per Resolution No. R20110298, and continues until March 19, 2013. Compensation shall not exceed \$283,600. **(Contract No. C20110471)**
 5. Interlocal Cooperative Agreement with the Economic Development Association of Skagit County (EDASC) to award Economic Development Public Facility grant funds. The Agreement commenced on September 20, 2011, per Resolution No. R20110298, and continues until December 31, 2012. Compensation shall not exceed \$73,284. **(Contract No. C20110472)**
- d) ASSIGNED COUNSEL:
6. Amendment No. 1 to Personal Services Agreement No. C20100538 with Kelli Armstrong Smith, Attorney at Law, to provide consultant and representation services relating to cases that are considered to be conflict of interest cases for the Skagit County Public Defender's office. The purpose of this Amendment is to increase compensation by \$70,000. The new compensation amount shall not exceed \$170,000. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20110150)**
- e) BUDGET AND FINANCE:
7. Funding Agreement with the Mount Vernon Chamber Foundation, which awards \$10,000 of Lodging Tax funds to support the "Welcome to Skagit Valley" Sign Project, as authorized by Resolution No. R20110069. The Agreement commenced on January 1, 2011, and shall continue until December 31, 2011. Compensation shall be contingent on matching grants from Mount Vernon and Burlington. **(Contract No. C20110473)**
- f) FACILITIES:
8. Vendor Services Agreement with DS Waters of America, dba Crystal Springs to provide hot/cold water dispensers and weekly bottle water delivery at the various County departments located at the Skagit County Courthouse, 205 W. Kincaid Street in Mount Vernon. The Agreement shall commence on the date

of execution and continue for two years. Compensation shall not exceed \$13,100. **(Contract No. C20110474)**

g) INFORMATION SERVICES:

9. Personal Services Agreement with David Lowrance to provide audio-visual productions both in-house and on-location for government access television Skagit 21. The Agreement shall commence on the date of execution and continue until December 31, 2012. Compensation shall not exceed \$40,000. **(Contract No. C20110475)**
10. Amendment No. 2 to Customer Sales Agreement No. C20050492 with Sage Software Healthcare, Inc. (Emdeon Practice Services). The purpose of this Amendment is to upgrade the Medical Manager Software to Version 11 in order to meet medical billing changes that will go into effect on January 1, 2012. This Amendment increases compensation by \$7,732.25, for a new compensation amount not to exceed \$29,988, plus applicable sales tax. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20110151)**
11. Amendment No. 2 to Personal Services Agreement No. C20060353 with VP Consulting, to provide integrated document imaging services per terms equivalent to a competitively negotiated contract by Lewis County. The purpose of this Amendment is to procure additional Laserfiche license in support of the E-Discovery project for the Sheriff and Prosecuting Attorney's office. Total cost of this procurement will be \$21,212.61 with annual maintenance cost increases starting in 2012 of \$3,270. The new compensation amount for 2011 shall not exceed \$122,934.55. **(Amendment No. A20110152)**

h) PARKS, RECREATION AND FAIRGROUNDS:

12. Vendor Services Agreement with Tyler Smith, dba Smitty Built Custom Homes, to provide repair and maintenance services of a professional carpenter. The carpenter will work to modify the bathrooms located in Building A at the Skagit County Fairgrounds. The Agreement shall commence on the date of execution and continue for one year. Compensation shall not exceed \$9,500. **(Contract No. C20110476)**
13. Amendment No. 1 to Vendor Services Agreement No. C20110099 with the Wizard Enterprises, dba The Wizards of Ooze to provide delivery, rental, pumping cleaning and removal of portable chemical toilets (standard unit, event and ADA accessible unit). The purpose of this Amendment is to include the annual rental and service of portable chemical toilets and sinks for the Skagit County Fair. This Amendment increases compensation by \$5,000, for a new compensation amount not to exceed \$21,920. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20110153)**

i) PLANNING AND DEVELOPMENT SERVICES:

14. Amendment No. 1 to Personal Services Agreement No. C20110255 with the

Urban Land Institute-Seattle (ULI) to provide expertise and advice on best practices for integrating smart growth and redevelopment as part of the Skagit County's Envision Skagit 2060. The purpose of this Amendment is to amend the date of expiration to December 31, 2012 and delay the Technical Assistance panel task to occur in 2012. The ULI technical assistant panel will focus on redevelopment opportunities for Burlington's commercial core area (Burlington Boulevard). All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20110154)**

j) PUBLIC WORKS:

15. Resolution calling for a public hearing to consider testimony regarding the application for a Franchise Agreement with WaveDivision I, LLC, a Washington limited liability corporation. This Agreement will allow WaveDivision I, LLC to make reasonable use of County right-of-way for the purpose of providing cable services. The public hearing is scheduled to take place on Tuesday, November 22, 2011, at 9:30 a.m. **(Resolution No. R20110338)**
16. Resolution authorizing the amendment of Resolution No. R20110313 and modifying the amount of Imprest Cash Fund for County Road Fund #117. **(Resolution No. R20110339)**
17. Drainage Easement between Earl Lind and Ethel Lind to continue the historical mowing along Britt Slough, which had previously been performed by the Sub Flood Control Zone. **(Contract No. C20110477)**

V. RATIFICATION AGENDA (Items 18 through 32):

k) COMMUNITY SERVICES:

18. Resolution authorizing the ratification of a Personal Services Agreement with Paul Schissler Associates, Inc. to provide for affordable housing planning services related to research and coordinated planning for housing for low- and moderate-income residents of Skagit County. Administrative delays experienced by Paul Schissler Associates, Inc. postponed the completion of the contract. **(Resolution No. R20110340)**
19. Personal Services Agreement with Paul Schissler Associates, Inc. to provide for affordable housing planning services related to research and coordinated planning for housing for low- and moderate-income residents of Skagit County. The Agreement commenced on October 1, 2011, and shall continue until March 31, 2012. Compensation shall not exceed \$39,500. **(Contract No. C20110478)**
20. Resolution authorizing the ratification of a Personal Services Agreement with Phoenix Recovery Services for the provision of urinalysis testing to Mental Health Court participants and case management services. Development of contract terms and Scope of Work delayed the finalization of the Personal Services Agreement. **(Resolution No. R20110341)**
21. Personal Services Agreement with Phoenix Recovery Services to provide

urinalysis testing to Mental Health Court participants and case management services. The Agreement commenced on October 10, 2011, and shall continue until December 31, 2012. Compensation shall not exceed \$52,500 and is funded by 0.1% sales tax. **(Contract No. C20110479)**

22. Resolution authorizing the ratification of a Personal Services Agreement with Skagit Recovery Center to provide chemical dependency treatment services to eligible persons. Review of the contract terms and scope of work delayed the finalization of the Personal Services Agreement. **(Resolution No. R20110342)**
23. Personal Services Agreement with Skagit Recovery Center to provide chemical dependency treatment and support services to eligible persons. The Agreement commenced on September 1, 2011, and shall continue until November 30, 2011. Compensation shall not exceed \$47,754.91 and is funded by DBHR. **(Contract No. C20110480)**
24. Resolution authorizing the ratification of a Personal Services Agreement with Skagit Recovery Center to provide chemical dependency treatment services through the Residential Substance Abuse Treatment (RSAT) program. Development of the contract terms and scope of work delayed the finalization of the Personal Services Agreement. **(Resolution No. R20110343)**
25. Personal Services Agreement with Skagit Recovery Center to provide chemical dependency treatment services through the Residential Substance Abuse Treatment (RSAT) program. The Agreement commenced on October 1, 2011, and shall continue until September 30, 2012. Compensation shall not exceed \$240,000 and is funded by DBHR. **(Contract No. C20110481)**

l) HEALTH:

26. Resolution to rescind County Program Agreement No. #0963-53356, Skagit County Contract No. C20080646, with the Washington State Department of Social and Health Services (DSHS) and related Amendment Nos. A20090111 and A20100083 for the Medicaid Administrative Match Program. The Washington State Health Care Authority (HCA) has assumed the Medicaid Administrative Match program effective July 1, 2011. **(Resolution No. R20110344)**
27. Resolution authorizing the ratification of a County/Local Health Jurisdiction Agreement with the Washington State Health Care Authority to continue funding the Medicaid Administrative Match Program. The grantor provided documents for signature to Skagit County after the contract amendment start date of July 1, 2011. **(Resolution No. R20110345)**
28. County/Local Health Jurisdiction Agreement No. 1163-35474 with the Washington State Health Care Authority (HCA) to continue funding for the Medicaid Administrative Match Program. The Agreement commenced on July 1, 2011, and shall continue until September 30, 2014. The Agreement provides for the reimbursement of costs for administrative activities that support the goals of the Medicaid State Plan. Annual compensation to Skagit County is estimated to not exceed \$120,000. **(Contract No. C20110482)**

m) OFFICE OF JUVENILE COURT:

29. Resolution authorizing the ratification of Program Agreement No. 1163-35702 with the Washington State Department of Social and Health Services (DSHS) to provide funding to expand evidence based treatment (Functional Family Therapy) in Skagit County. Skagit County did not receive the Agreement from DSHS until after the commencement date of July 1, 2011. **(Resolution No. R20110346)**
30. County Program Agreement No. 1163-35702 with the Washington State Department of Social and Health Services (DSHS) to provide funding to expand evidence based treatment (Functional Family Therapy) in Skagit County. This Agreement commenced on July 1, 2011, and shall continue until June 30, 2013. Compensation shall not exceed \$54,828. **(Contract No. C20110483)**

n) SUPERIOR COURT:

31. Resolution authorizing the ratification of Interagency Agreement No. IAA12191 with the State of Washington Administrative Office of the Courts (AOC) for the purpose of distributing funds for court interpreter expenses to improve the quality and availability of court interpreter services for Limited English Proficient ("LEP"), deaf, and hard of hearing persons. AOC only recently determined the amount of funding available for reimbursement to Skagit County Superior Court. **(Resolution No. R20110347)**
32. Interagency Agreement No. IAA12191 with the State of Washington Administrative Office of the Courts (AOC) for the purpose of distributing funds for court interpreter expenses to improve the quality and availability of court interpreter services for Limited English Proficient ("LEP"), deaf, and hard of hearing persons. The Agreement commenced on July 1, 2011, and shall continue until August 31, 2012. Compensation to Skagit County shall not exceed \$6,803. **(Contract No. C20110484)**

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 \$60,660.60 (Transmittal No. C-112-11); and
 - b) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$45,212.65 (Transmittal No. C-113-11); and
 - c) Warrants numbered 350100 through 350563 from Clearing Fund 696 in the

total dollar amount of \$5,493,090.99 (Transmittal No. C-114-11); and

- d) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$90,212.40 (Transmittal No. C-115-11); and
- e) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$46,714.21 (Transmittal No. C-116-11).

VII. ADJOURNMENT:

Chairman Wesen adjourned the proceedings at 1:31 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