

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, NOVEMBER 21, 2011**

The Skagit County Board of Commissioners met in regular session on Monday, November 21, 2011, with Commissioners Ron Wesen, and Sharon D. Dillon present.

I. CALL TO ORDER:

Chairman Wesen called the proceedings to order at 1:32 p.m.

Commissioner Dahlstedt absence was excused.

II. PLEDGE OF ALLEGIANCE:

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

III. AGENDA:

- a) *8:00 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
- c) *2:00 p.m. - 4:00 p.m. Executive Session (None Scheduled as of the Date of this Notice)

There were no executive sessions scheduled for Monday, November 21, 2011.

V. CONSENT AGENDA FOR MONDAY, NOVEMBER 21, 2011 (items 1 through 52):

County Administrator Tim Holloran was present to introduce Marc Estvold, Architect, Inc. AIA LEED AP. Mr. Holloran stated that there was a Personal Services Agreement with Marc L. Estvold, Inc. to provide planning and development services for the Skagit County Regional Jail Facility on the Consent Agenda. Mr. Estvold said that he was excited and was looking forward to begin working on the Jai Facility project.

Civil Deputy Prosecuting Attorney Ryan Walters was present to introduce the Port Skagit County Grants and Contract Coordinator Heather Moses. Mr. Walters stated that there was a Personal Services Agreement on the Consent Agenda with Makers Architecture. He said that the purpose of the Personal Services Agreement was to develop a Planned Unit Development (PUD) ordinance and associated development standards for Bayview Ridge. He explained that Makers was selected through an interview process. He indicated that the Port of Skagit County would be the project manager.

A motion was made by Commissioner Dillon to approve the Consent Agenda Items 1 through 53, Ratification Agenda items 54 to 61, vouchers and warrants for Monday, November 21, 2011. Chairman Wesen seconded the motion. The vote passed unanimously. Commissioner Kenneth A. Dahlstedt's absence was excused

a) COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Monday, November 7, 2011. **(Approved)**
2. Record of the Proceedings for Tuesday, November 8, 2011. **(Approved)**

b) ADMINISTRATIVE SERVICES:

3. Personal Services Agreement with Marc L. Estvold, Inc. AIA, LEED AP to provide planning and development services for the Skagit County Regional Jail Facility. The Agreement shall commence on the date of execution and continue until June 19, 2013. Compensation shall not exceed \$200,000. **(Contract No. C20110494)**
4. Interlocal Cooperative Agreement with the Port of Anacortes 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 \$230,000. **(Contract No. C20110495)**
5. Interlocal Cooperative Agreement with Skagit Public Utility District No. 1 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 \$115,000. **(Contract No. C20110496)**
6. Interlocal Cooperative Agreement with the City of Anacortes 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 \$199,322. **(Contract No. C20110497)**
7. Amendment No. 2 to Interagency Agreement No. 2009-ERG-528, Skagit County Contract No. C20090382, with the Washington State Department of General Administration (GA), Facilities Division, Engineering & Architectural Services for the Energy/Utility Conservation Project Management and Monitoring Services. The purpose of this Amendment is to authorize the Phase 1, lighting, water, weatherization, and retro-commissioning project outlined in the McKinstry Essention's Energy Services Proposal. This Amendment adds an additional \$38,900 in compensation. For a new compensation amount not to exceed \$38,900. All other terms and conditions of the original Agreement and previous Amendment shall remain in effect. **(Amendment No A20110166)**
8. Funding authorization related to Interagency Agreement No. 2009-ERG-528, Skagit County Contract No. C20090382, with the Washington State Department of General Administration (GA), Facilities Division, Engineering & Architectural Services (E&AS) to implement the McKinstry Essention's Energy Services Proposal. The Department of General Administration, E&AS requires funding approval in the amount of \$219,595.46 to contract with McKinstry Essention's professional services for the design, construction, management, overhead and profit for implementation of energy efficiency

measures and two years of measurement and verification service. **(Contract No. C20110498)**

9. Funding authorization related to Interagency Agreement No. 2009-ERG-528, Skagit County Contract No. C20090382, with the Washington State Department of General Administration (GA), Facilities Division, Engineering & Architectural Services (E&AS) to implement the McKinstry Essention's Energy Services Proposal. The Department of General Administration, E&AS requires funding approval in the amount of \$544,710.54 to contract with McKinstry Essention for the actual construction to implement their Energy Services Proposal. **(Contract No. C20110499)**

c) APPOINTMENT:

10. Resolution to replace an acting representative on the Skagit County Emergency Medical Services (EMS) Commission. The EMS Commission has recommended Lois Pate replace Soni Toby. **(Resolution No. R20110359)**
11. Resolution reappointing John Ruthford, Jr., District #8 Fire Commissioner, to serve on the Central Valley Ambulance Authority Board. Mr. Ruthford Jr.'s term shall commence on December 31, 2011, and expire on December 31, 2012. **(Resolution No. R20110360)**

d) AUDITOR:

12. Department of Licensing (DOL) Contract No. K2321 between Skagit County Auditor and Subagent Chamber of Commerce dba Anacortes Chamber of Commerce which allows the Subagent to perform vehicle and vessel registration and license activities. The Contract shall commence on the date of execution and shall continue until June 30, 2012. The Subagent shall charge, collect and retain the fees as authorized by R.C.W. 46.01.140. **(Contract No. c20110500)**

e) BUDGET AND FINANCE:

13. Resolution authorizing a call for public hearing to consider testimony regarding the 2012 Skagit County budget. The public hearing is scheduled to take place on Monday, December 5, 2011, at 2:00 p.m. **(Resolution No. R20110361)**
14. Resolution authorizing a call for public hearing to consider an amendment to the 2011 Skagit County budget. The public hearing is scheduled to take place on Tuesday, December 6, 2011, at 10:00 a.m. **(Resolution No. R20110362)**

f) COMMUNITY SERVICES:

15. Resolution authorizing the allocation of 2060 Low-Income Housing Funds for housing programs for extremely low and very low-income persons for 2012. **(Resolution No. R20110363)**

16. Resolution authorizing the allocation of 2163 Homeless Housing and Assistance Funds for 2012. **(Resolution No. R20110364)**
17. Amendment No. 1 to Funding Agreement No. C20100575 with Skagit County Community Action Agency to distribute low-income housing funds pursuant to Substitute House Bill 2163. The purpose of this Amendment is to extend the term of the Agreement from December 31, 2011, to September 30, 2012. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20110167)**
18. Amendment No. 1 to Funding Agreement No. C20100576 with Skagit County Community Action Agency to distribute low-income housing funds pursuant to Substitute House Bill 2060. The purpose of this Amendment is terminate the term of the Agreement, effective October 1, 2011. The Agreement is terminated, as the Home Trust of Skagit County will assume management and provision of the programming detailed in the original Agreement. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20110168)**
19. Funding Agreement with Skagit Home Trust to distribute low-income housing funds pursuant to Substitute House Bill 2060. The Agreement shall commence on the date of execution and shall continue until December 31, 2011. Compensation shall not exceed \$68,758.44. **(Contract No. C20110501)**
20. Funding Agreement with Skagit Valley Family YMCA to provide recreation activities for Skagit residents with developmental disabilities. The Agreement shall commence on January 1, 2012 and continue until December 31, 2012. Compensation shall not exceed \$9,508. **(Contract No. C20110502)**
21. Funding Agreement with Friendship House to distribute low-income housing funds pursuant to Substitute House Bill 2060 and House Bill 2331. The Agreement shall commence on January 1, 2012, and continue until December 31, 2012. Compensation shall not exceed \$70,000. **(Contract No. C20110503)**
22. Funding Agreement with Skagit Valley Family YMCA to distribute low-income housing funds for support services for homeless youth, pursuant to Substitute House Bill 2060 and House Bill 2331. The Agreement shall commence on January 1, 2012, and continue until December 31, 2012. Compensation shall not exceed \$84,000. **(Contract No. C20110504)**
23. Funding Agreement with Skagit County Community Action Agency to distribute low-income housing funds pursuant to Substitute House Bill 2060 and House Bill 2331. The Agreement shall commence on January 1, 2012, and continue until December 31, 2012. Compensation shall not exceed \$59,000. **(Contract No. C20110505)**
24. Amendment No. 1 to Personal Services Agreement No. C20110262 with Rehabco Skagit Inc. to provide employment services to individuals with disabilities. The purpose of this Amendment is to modify Exhibit A, Specific

Terms and Conditions, Item VIII, Confidentiality of Individual Records and add letter D. This Amendment increases compensation by \$71,500 for a new compensation total not to exceed \$164,000 and is funded by the Division of Developmental Disabilities (DDD). All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20110169)**

25. Amendment No. 1 to Personal Services Agreement No. C20110270 with Rehabco Skagit Inc. to provide retirement services to individuals with disabilities. The purpose of this Amendment is to modify Exhibit A, Specific Terms and Conditions, Item VIII, Confidentiality of Individual Records and add letter D. This Amendment increases compensation by \$8,000 for a new compensation total not to exceed \$18,000 and is funded by the Division of Developmental Disabilities (DDD). All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20110170)**
26. Resolution authorizing the allocation of Skagit County 0.1% sales tax funds for 2012. **(Resolution No. R20110365)**
27. Personal Services Agreement with Sunrise Services to provide mental health treatment services and limited case management services to individuals in the Upper East Skagit County area who not currently eligible to receive Medicaid or Medicare-funded treatment services. The Agreement shall commence on January 1, 2012, and continue until December 31, 2012. Compensation shall not exceed \$30,000 and is funded by the 0.1% sales tax. **(Contract No. C20110506)**
28. Personal Services Agreement with Compass Health to provide integrated mental health and chemical dependency treatment services for up to twenty (20) Skagit County Mental Health Court clients. The Agreement shall commence on January 1, 2012, and continue until December 31, 2012. Compensation shall not exceed \$125,000 and is funded by the 0.1% sales tax. **(Contract No. C20110507)**
29. Personal Services Agreement with Arely Jimenz to provide mental health services through the Community Wellness Program. The Agreement shall commence on the date of execution and continue until December 31, 2012. Compensation shall not exceed \$30,000. **(Contract No. C20110508)**
30. Amendment No. 1 to Personal Services Agreement No. C20110224 with Skagit Preschool & Resource Center (SPARC) to provide Developmental Disability Early Childhood development services to children birth to three (3) years old. The purpose of this Amendment is to modify Exhibit A, Specific Terms and Conditions, Item VIII, Confidentiality of Individual Records and add letter D. This Amendment increases compensation by \$20,000 for a new compensation total not to exceed \$170,738 and is funded by the Millage Funds. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20110171)**
31. Personal Services Agreement with Chinook Enterprises to provide educational support services to transition-age youth and short-term vocational support to adults. The Agreement shall commence on January 1, 2012, and continue until December 31, 2012. Compensation shall not exceed

\$15,000. **(Contract No. C20110509)**

32. Personal Services Agreement with People 1st of Skagit County to provide recreational and self-advocacy services to individuals with disabilities. The Agreement shall commence on January 1, 2012, and continue until December 31, 2012. Compensation shall not exceed \$4,442. **(Contract No. C20110510)**

g) CONSERVATION FUTURES:

33. Conservation Easement Deed with Nolan and Shirley Lee and Greg Lee to add approximately 40 acres to property already subject to the existing easement through Skagit County Boundary Line Adjustment PL11-0207, approved on June 27, 2011, and recorded under Auditor's File Number 201107070021. The remaining portion of that parcel is already subject to a conservation easement under Conservation Easement Deed No. C20050361. **(Contract No. C20110511)**

h) FACILITIES:

34. AIA Document A101 - 2007 Standard Form of Agreement with Esary Roofing & Siding Co., Inc. for the Metal Roof Retrofit Project for the Skagit County Food Distribution Center, located at 220 Michael Street in Sedro-Woolley for the low bid of \$17,100, plus applicable sales tax. The Agreement shall commence on the date of execution and shall be complete no later than 30 days from the date of commencement. **(Contract No. C20110512)**
35. Vendor Services Agreement with Electric West, Inc. to provide electrical services, including the troubleshooting, repair and replacement of electrical components that include, but may not be limited to: power resources, lighting switches and relays; electrical motors; generators, and building lights and electrical infrastructure in general at any and all Skagit County facilities. The Agreement shall commence on the date execution and continue for three (3) years. Compensation shall not exceed \$9,500. **(Contract No. C20110513)**

i) INFORMATION SERVICES:

36. Personal Services Agreement with Mental Velocity Inc. to provide maintenance and support for the Septic Manager application including but not limited to troubleshooting, repairs, upgrades, and phone support. The Agreement shall commence on the date of execution and continue until December 31, 2012. Compensation shall not exceed \$6,000. **(Contract No. C20110514)**

j) OFFICE OF JUVENILE COURT:

37. Resolution establishing the custodian of the Office of Juvenile Court Petty Cash Fund. **(Resolution No. R20110366)**

k) PLANNING AND DEVELOPMENT SERVICES:

38. Personal Services Agreement with Makers to develop a Planned Unit Development (PUD) ordinance and associated development standards for Bayview Ridge. The Agreement shall commence on the date of execution and continue until December 31, 2012. Compensation shall not exceed \$65,110. **(Contract No. C20110515)**

l) PUBLIC DEFENDER:

39. Personal Services Agreement with Shauna L. Bean, Attorney at Law, to provide consultation and representation relating to a maximum of thirty-five (35) District Court cases. The Agreement shall commence on January 1, 2012, and continue until December 31, 2012. Compensation shall not exceed \$100,000. **(Contract No. C20110516)**

m) PUBLIC WORKS:

40. Resolution awarding bid and appropriating funds for the Parson Creek Road Stabilization Project #ES52000-1 and Friday Creek Road Stabilization Project #ES50210-1 to Interwest Construction, Incorporated for the low bid of \$212,946. **(Contract No. C20110516)**

41. Resolution to call for Statement of Qualifications for the 2012 Personal Services Consultant Roster. Submittals are due by December 22, 2011, at 4:00 p.m. for use on the January 1, 2012 Roster. **(Resolution No. R20110368)**

42. Resolution to call for Statement of Qualifications for the 2012 Engineering and Land Surveying Services Consultant Roster. Submittals are due by December 22, 2011, at 4:00 p.m. for use on the January 1, 2012 Roster. **(Resolution No. R20110369)**

43. Resolution for the adoption of the 2012 Annual Construction Program (ACP). **(Resolution No. R20110370)**

44. Resolution to call for a public hearing regarding consideration of vacating the County right-of-way known as South Texas Lane. The public hearing is scheduled to take place on Tuesday, December 13, 2011, at 8:30 a.m. **(Resolution No. R20110371)**

45. Resolution regarding an Order to Vacate a portion of County road right-of-way known as Snee-Oosh Road, No. 40010. **(Resolution No. R20110372)**

46. Amendment No. 2 to Vendor Services Agreement No. C20090236 with Arrow Launch Service, Inc. for temporary passenger-only ferry services on an as-needed basis between Anacortes and Guemes Island. The purpose of this Amendment is to extend the term of the Agreement to December 31, 2012. This Amendment increases compensation by \$45,000 for a new compensation amount not to exceed \$150,000. All other terms and conditions of the original Agreement and previous Amendments shall remain in effect. **(Amendment No. A20110172)**

47. Amendment No. 1 to Interlocal Cooperative Agreement No. C20110240 with Skagit River System Cooperative to work cooperatively to mitigate flood hazards and restore critical riparian habitat in the Hansen Creek Reach 5 area. The purpose of this Amendment is to authorize the purchase of property, identified as Skagit County Assessor Tax Parcel Nos. P67814 and P39244, to enable the completion of a project to reduce flooding. This Amendment increases compensation by \$65,000 for a new compensation amount not to exceed \$115,000. This project is funded by the Drainage Utility, Project No. WA402127. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20110173)**
48. Temporary Construction Easement with the Swinomish Indian Tribal Community for Skagit County Assessor Tax Parcel No. P39244. The purpose for the Temporary Construction Easement is to allow for the construction of a restoration/flood project in the Hansen Creek and Red Creek areas. This easement will ensure the ability of the County to construct a restoration/flood control project on the property after the Release of Easement has been recorded. The Temporary Construction Easement shall commence on the date of execution and shall expire and terminate at the completion of project or after five (5) years from the date of execution, whichever is sooner. **(Contract No. C20110517)**
49. Release of Easements with the Swinomish Indian Tribal Community for Skagit County Assessor Tax Parcel Nos. P39244 and P121598. The Swinomish Indian Tribal Community has obtained grant funding for the purchase of properties on Hansen Creek and requires the Release of Easements. **(Contract No. C20110518)**
50. Temporary Easement with George Thelen and Linda Hart for a portion of Skagit County Assessor Tax Parcel No. P48408. The purpose of this Temporary Easement is to allow for riparian work and weed control. The Temporary Easement shall commence on the date of execution and continue for ten years. All work associated with this Temporary 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 120. **(Contract No. C20110519)**
51. Temporary Easement with Alger Improvement Club for a portion of Skagit County Assessor Tax Parcel No. P49021. The purpose of this Temporary Easement is to allow for riparian work and weed control. The Temporary Easement shall commence on the date of execution and continue for ten years. All work associated with this Temporary 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 120. **(Contract No. C20110520)**

n) SHERIFF:

52. Subscriber Agreement with Public Safety Testing, Inc. to assist in the hiring

process of the Sheriff's Office Deputies. The Agreement shall commence on January 1, 2012, and continue through December 31, 2014. Compensation shall not exceed \$4,400 per year. **(Contract No. C20110521)**

VI. RATIFICATION AGENDA (Items 53 through 61):

o) COMMUNITY SERVICES:

53. Resolution authorizing the ratification of an 93.958 Community Mental Health Federal Block Grant Agreement with North Sound Mental Health Administration (NSMHA) Contract #NSMHA-Skagit-FBG-11-12 for the provision of mental health services. Receipt of the contract delayed the finalization of the Agreement. **(Resolution No. R20110373)**
54. 93.958 Community Mental Health Federal Block Grant Agreement with North Sound Mental Health Administration (NSMHA) Contract #NSMHA-Skagit-FBG-11-12 for the provision of mental health services. The Agreement commenced on October 1, 2011, and shall continue until September 30, 2012. Compensation to Skagit County shall not exceed \$52,550. **(Contract No. C20110522)**

p) HEALTH:

55. Resolution authorizing the ratification of Remedial Action Grant Agreement No. G1200170 with the State of Washington Department of Ecology to continue the Site Hazard Assessment (SHA) grant program. The grantor provided documents for signature to Skagit County after the commencement date of July 1, 2011. **(Resolution No. R20110374)**
56. Remedial Action Grant Agreement No. G1200170 with the State of Washington Department Ecology to continue the Site Hazard Assessment (SHA) grant program. The Agreement commenced on July 1, 2011, and shall continue until June 30, 2013. Compensation to Skagit County shall not exceed \$60,000. **(Contract No. C20110523)**

q) HUMAN RESOURCES:

57. Resolution authorizing the ratification of a Personal Services Agreement with Volunteers of America. A signed contract was not received prior to the commencement of needed services. **(Resolution No. R20110375)**
58. Personal Services Agreement with Volunteers of America to provide professional mediation, facilitation and conflict resolution services for various departments as requested by the Director of Human Resource. The Agreement commenced on November 1, 2011, and shall continue until December 31, 2012. Compensation shall not exceed \$10,000. **(Contract No. C20110524)**

r) PUBLIC WORKS:

59. Amendment No. 3 to Coordinated Prevention Grant Agreement No.

G1000462, Skagit County Contract No.C20100066, with the State of Washington Department of Ecology for Hazardous Waste Collection, Disposal Collection, Disposal and Outreach and for Public Education and Outreach - Waste Reduction and Recycling programs. The purpose of this Amendment to allow for the redistribution of the budget in Amendment No. 2 between the two tasks (also known as elements). No funds are added or subtracted from the overall grant with this Amendment. All other terms and conditions of the original Agreement and previous Amendments shall remain in effect. **(Amendment No. A20110174)**

60. Resolution authorizing the ratification of Amendment No. 4 to Coordinated Prevention Grant G1000462, Skagit County Contract No. C20100066, with the State of Washington Department of Ecology for Hazardous Waste Collection, Disposal Collection, Disposal and Outreach and for Public Education and Outreach - Waste Reduction and Recycling programs. Amendment No. 4 was not received from the Department of Ecology prior to the continuation of date July 1, 2011. **(Resolution No. R20110376)**
61. Amendment No. 4 to Coordinated Prevention Grant Agreement No. G1000462, Skagit County Contract No. C20100066, with the State of Washington Department of Ecology for Hazardous Waste Collection, Disposal Collection, Disposal and Outreach and for Public Education and Outreach - Waste Reduction and Recycling programs. The Purpose of this Amendment is to provide funding to reimburse costs incurred from July 1, 2011, through December 31, 2011. This Amendment increases funding to Skagit County by \$94,747.25, which is 75% of the total funding. Skagit County shall pay \$31,582.42, which is 25% of the total funding. The new compensation amount shall not exceed \$436,126.67. All other terms and conditions of the original Grant Agreement and previous Amendments shall remain in effect. **(Amendment No. A20110175)**

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 350936 through 350936 from Clearing Fund 696 in the total dollar amount of \$80,000 (Transmittal No. C-120-11); and
 - b) Warrants numbered 350937 through 351296 from Clearing Fund 696 in the total dollar amount of \$1,590,887.82 (Transmittal No. C-121-11); and
 - c) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$163,091.76 (Transmittal No. C-122-11); and
 - d) Warrants numbered 351297 through 351297 from Clearing Fund 696 in the total dollar amount of \$77,475 (Transmittal No. C-123-11); and

- e) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$133,802.65 (Transmittal No. C-124-11); and
- f) Warrants numbered 351298 through 351797 from Clearing Fund 696 in the total dollar amount of \$3,658,063.25 (Transmittal No. C-125-11); and
- g) Payroll warrants number 289482 through 290210 in the total dollar amount of \$1,104,208.53 (Transmittal No. P-41-11); and
- h) Junior District Payroll warrants number 994602 through 994773 in the total dollar amount of \$268,209.27 (Transmittal No. P-42-11)

VII. ADJOURNMENT:

Chairman Wesen adjourned the proceedings at 1:42 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