

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, DECEMBER 19, 2011**

The Skagit County Board of Commissioners met in regular session on Monday, December 19, 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 1:32 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
- c) *2:00 p.m. 5:00 p.m. Executive Session (Personnel)

V. CONSENT AGENDA FOR MONDAY, DECEMBER 19, 2011 (items 1 through 60):

A motion was made by Commissioner Dillon to approve Consent Agenda items 1 and 3, items 4, through 60, Ratification Agenda items 61 through 64, vouchers and warrants for Monday, December 19, 2011. **(Consent Agenda item number 2 was pulled, it will be considered for signature on an upcoming agenda.)**

Commissioner Dahlstedt seconded the motion.

The vote passed unanimously.

a) COMMISSIONERS' OFFICE:

- 1. Record of the Proceedings for Monday, December 12, 2011. **(This item was pulled, it will be considered on an upcoming agenda.)**
- 2. Record of the Proceedings for Tuesday, December 13, 2011. **(This item was pulled, it will be considered on an upcoming agenda.)**

b) ADMINISTRATIVE SERVICES:

- 3. Interlocal Cooperative Agreement with the Town of Hamilton to award Economic Development Public Facility grant funds for the Railroad Street Water Line Project. The Agreement commenced on September 20, 2011, as authorized by Resolution No. R20110298, and continues until September 19, 2012. Compensation shall not exceed \$237,000. **(Contract No. C20110571)**

4. Cooperative Service Agreement No. 10-73-53-2009-RA, Work Plan/Financial Plan, with the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Wildlife Services (WS) for wildlife control activities. The Agreement shall commence on January 1, 2012, and continue until December 31, 2012. Compensation shall not exceed \$15,000. **(Contract No. C20110572)**
5. Personal Services Agreement with CAZ Energy Audits to complete residential energy assessments for the Skagit Clean Energy Challenge. The Agreement shall commence on the date of execution, and continue until November 1, 2012. Compensation shall not exceed \$18,000 and is funded by the US Department of Energy through the County's Energy Efficiency and Conservation Block Grant (EECBG). **(Contract No. C20110573)**
6. Personal Services Agreement with North Sound Energy and Remodel to complete residential energy assessments for the Skagit Clean Energy Challenge. The Agreement shall commence on the date of execution, and continue until November 1, 2012. Compensation shall not exceed \$10,000 and is funded by the US Department of Energy through the County's Energy Efficiency and Conservation Block Grant (EECBG). **(Contract No. C20110574)**

c) APPOINTMENT:

7. Resolution regarding the appointment of members to the Skagit County Emergency Medical Services Commission (EMS). **(Resolution No. R20110405)**

d) ASSIGNED COUNSEL:

8. Personal Services Agreement with the Snohomish County Public Defenders Association, to provide indigent defense representation for indigent defendants referred by the Office of Assigned Counsel who have been deemed conflict of interest for the Skagit County Public Defender's Office for fifty (50) cases. The Agreement shall commence on January 1, 2012, and continue until December 31, 2012. Compensation shall not exceed \$97,992. **(Contract No. C20110575)**
9. Personal Services Agreement with the Snohomish County Public Defenders Association, to provide indigent defense representation for indigent defendants referred by the Office of Assigned Counsel who have been deemed conflict of interest for the Skagit County Public Defender's Office, specifically for Civil Commitment of SVP cases under RCW 71.09. The Agreement shall commence on January 1, 2012, and continue until December 31, 2012. Compensation shall not exceed \$75,000. **(Contract No. C20110576)**
10. Personal Services Agreement with the Kelli Armstrong-Smith, to provide indigent defense representation for indigent defendants referred by the Office of Assigned Counsel who have been deemed conflict of interest for the Skagit County Public Defender's Office, specifically for Civil Commitment of SVP cases under RCW 71.09. The Agreement shall commence on January 1,

2012, and continue until December 31, 2012. Compensation shall not exceed \$150,000. **(Contract No. C20110577)**

11. Personal Services Agreement with the Sharon L. Fields, Attorney at Law, to provide indigent defense representation for indigent defendants referred by the Office of Assigned Counsel who have been deemed conflict of interest for the Skagit County Public Defender's Office. The Agreement shall commence on January 1, 2012, and continue until December 31, 2013. Compensation shall not exceed \$100,000. **(Contract No. C20110578)**

e) AUDITOR:

12. Resolution amending Skagit County Purchasing and Contracting Guidelines Modifying Purchase Card Polices, Resolution Nos. R20020106 and R20030146. **(Resolution No. R20110406)**
13. Resolution authorizing interfund loan from the General Fund No. 001 to Election Services Fund No. 113 to offset revenue shortfall. Maximum loan amount shall not exceed \$100,000. **(Resolution No. R20110407)**

f) BUDGET AND FINANCE:

14. Funding Agreement with the Snohomish Artist Guild, which awards \$3,000 of Lodging Tax funds to support the promotion of the Cap Sante Marina Summer Concerts, Sedro-Woolley River Front Park Summer Concert Series, as authorized by Resolution No. R20110350. The Agreement shall commence on January 1, 2012, and shall continue until December 31, 2012. **(Contract C20110579)**
15. Funding Agreement with the Concrete Chamber of Commerce, which awards \$15,000 of Lodging Tax funds to support the promotion of the Skagit Eagle Festival as authorized by Resolution No. R20110350. The Agreement shall commence on January 1, 2012, and shall continue until December 31, 2012. **(Contract No. C20110580)**
16. Funding Agreement with the La Conner Quilt & Textile Museum, which awards \$1,000 of Lodging Tax funds to support the promotion of the La Conner Quilt & Textile Museum in the Historic Gaches Mansion, as authorized by Resolution No. R20110350. The Agreement shall commence on January 1, 2012, and shall continue until December 31, 2012. **(Contract No. C20110581)**
17. Funding Agreement with the Sedro-Woolley Museum, which awards \$3,000 of Lodging Tax for the marketing and promotion of the Sedro Woolley Museum, as authorized by Resolution No. R20110350. The Agreement shall commence on January 1, 2012, and shall continue until December 31, 2012. **(Contract No. C20110582)**
18. Funding Agreement with Skagitonians to Preserve Farmland, which awards \$7,500 of Lodging Tax funds to support the promotion of the Talking Fields Implementation Project as authorized by Resolution No. R20110350. The Agreement shall commence on January 1, 2012, and shall continue until

December 31, 2012. **(Contract No. C20110583)**

19. Funding Agreement with the Celtic Arts Foundation, which awards \$3,000 of Lodging Tax funds to support the marketing and promotion of the Skagit Valley Highland Games & Celtic Festival as authorized by Resolution No. R20110350. The Agreement shall commence on January 1, 2012, and shall continue until December 31, 2012. **(Contract No. C20110584)**
20. Funding Agreement with the Skagit Valley Tulip Festival (Project 1), which awards \$9,200 of Lodging Tax funds to support the marketing and promotion of the Skagit Valley Tulip Festival as authorized by Resolution No. R20110350. The Agreement shall commence on January 1, 2012, and shall continue until December 31, 2012. **(Contract No. C20110585)**
21. Funding Agreement with the Skagit River Bald Eagle Awareness Team, which awards \$5,000 of Lodging Tax funds to support marketing and promotion of the Skagit River Bald Eagle Awareness Team as authorized by Resolution No. R20110350. The Agreement shall commence on January 1, 2012, and shall continue until December 31, 2012. **(Contract No. C20110586)**
22. Funding Agreement with the Concrete Heritage Museum Association, which awards \$2,000 of Lodging Tax funds to support marketing and promotion of the Concrete Heritage Museum Association as authorized by Resolution No. R20110350. The Agreement shall commence on January 1, 2012, and shall continue until December 31, 2012. **(Contract No. C20110587)**
23. Funding Agreement with the Cascade Days, which awards \$5,000 of Lodging Tax funds to support marketing and promotion of the Cascade Days as authorized by Resolution No. R20110350. The Agreement shall commence on January 1, 2012, and shall continue until December 31, 2012. **(Contract No. C20110588)**
24. Funding Agreement with the McIntyre Hall Performing Arts and Conference Center, which awards \$12,500 of Lodging Tax funds for Event Advertising and General Marketing, as authorized by Resolution No. R20110350. The Agreement shall commence on January 1, 2012, and shall continue until December 31, 2012. **(Contract No. C20110589)**
25. Interlocal Cooperative Agreement with the City of Mount Vernon for library services to the citizens of unincorporated Skagit County during 2011. The Agreement shall commence on the date of execution and continue until December 31, 2011. Compensation shall not exceed \$16,657. **(Contract No. C20110590)**
26. Resolution amending Resolution No. R20090544 authorizing an interfund loan to the Planning and Development Services Fund No. 128 to offset revenue shortfall. The loan amount shall not exceed \$200,000 for a total amount loan amount not to exceed \$500,000. **(Resolution No. R20110408)**
27. Resolution to adopt the 2012 Central Valley Ambulance Authority budget. **(Resolution No. R20110409)**

28. Resolution to adopt the 2012 Emergency Medical Services budget. **(Resolution No. R20110410)**
29. Resolution authorizing the 2012 Emergency Medical Services levy. **(Resolution No. R20110411)**
30. Resolution authorizing the 2012 limit factor levy at 100% for the Emergency Medical Services levy and preserving capacity for future use. **(Resolution No. R20110412)**

g) COMMUNITY SERVICES:

31. Resolution to re-appoint Sue Spencer to serve a three-year term on the Skagit County Substance Abuse Board. Her term shall commence on the date of execution and expire on November 30, 2014. **(Resolution No. R20110413)**
32. Resolution to re-appoint Ron Coakley to serve a three-year term on the Skagit County Substance Abuse Board. His term shall commence on the date of execution and expire on November 30, 2014. **(Resolution No. R20110414)**
33. Resolution to re-appoint Steve Hayes to serve a three-year term on the Skagit County Substance Abuse Board. His term shall commence on the date of execution and expire on November 30, 2014. **(Resolution No. R20110415)**
34. Resolution to re-appoint Joan Lubbe to serve a three-year term on the Skagit County Substance Abuse Board. Her term shall commence on the date of execution and expire on November 30, 2014. **(Resolution No. R20110416)**
35. Interlocal Cooperative Agreement with the City of Anacortes for provision of administrative and professional care services to senior citizens. The Agreement shall commence on January 1, 2012 and continue through December 31, 2012. Compensation shall not exceed \$29,928. **(Contract No. C20110591)**

h) CONSERVATION FUTURES:

36. Interlocal Cooperative Agreement with the Skagit Conservation District for projects relating to Title III funding. The County will reimburse the contractor for assistance in meeting Title III funding priorities through the implementation of a countywide Community Wildfire Protection Plan using the Firewise Communities/USA Program. The Agreement shall commence on January 1, 2012, and continue through December 31, 2013. Compensation shall not exceed \$100,000. **(Contract No. C20110592)**

i) CORONER:

37. Vendor Services Agreement with Affordable Burial & Cremation Services, LLC to have a person available twenty-four (24) hours a day, seven (7) days a week to receive the deceased at the funeral facility or provide the Coroner's Office with a key and alarm code to the funeral facility. The Agreement shall commence on the date of execution and continue for one year. Compensation shall not exceed \$5,000, which is based on a fee structure that consists of set charges for the type of work performed including each transfer, transport, indigent, and autopsy performed. **(Contract No. C20110593)**

j) FACILITIES:

38. Amendment No. 2 to Personal Services Agreement No. C20100264 with Parker Corporate Services, Inc., dba Whatcom Security Agency for the provision of security to Skagit County facilities. The purpose of this Amendment is to extend the term of the original Agreement from December 31, 2011, to March 31, 2012. All other terms and conditions of the original Agreement and Amendment shall remain in effect. **(Amendment No. A20110181)**

k) HEALTH:

39. Ordinance adopting amendments to and repealing sections of Chapter 12, Skagit County Code, Health, Welfare and Sanitation to 1) make modifications to Section 12.05, On-Site Sewage to add requirements for RV holding tanks and correct operations and maintenance inspection frequencies; 2) repeal Section 12.20, Camping Vehicle Parks, Section 12.24, Mobile Home Parks, and Section 12.40, Public Swimming Beaches 3) remove all references to parks in Section 12.28, Camps and Parks 4) add appeal language and updates to reflect State code to Section 12.36, Food Establishments and 5) clarify exemptions in Section 12.48, Drinking Water. (Ordinance No. O20110012)
40. Consolidated Contract with the State of Washington Department of Health, Contract No. C16899, to provide funding to continue various programs including the Women, Infant, and Children (WIC) Program, Onsite Sewage Management, Drinking Water Group A, Public Health Emergency Preparedness & Response (PHEPR); Childhood Immunizations, Material Child Health Block Grant, and Recreational Shellfish Activities. The Agreement shall commence on January 1, 2012, and continue through December 31, 2012. Compensation to Skagit County shall not exceed \$557,980. **(Contract No. C20110594)**

l) HUMAN RESOURCES:

41. Personal Services Agreement with Braun Consulting Group to provide collective bargaining representation for Skagit County as requested by the Human Resource Director. The Agreement shall commence on December 31, 2011, and continue until December 31, 2013. Compensation shall not exceed \$60,000 per year for a total amount not to exceed \$120,000. **(Contract No. C20110595)**
42. Personal Services Agreement with Terri Ano, PhD, to provide assistance with Human Resource projects as requested by the Human Resource Director.

The Agreement shall commence on December 31, 2011, and continue until December 31, 2012. Compensation shall not exceed \$10,000. **(Contract No. C20110596)**

43. Personal Services Agreement with Skagit Business & Staffing LLC to provide on-call general office, clerical and/or accounting services as requested by the Human Resource Director. The Agreement shall commence on December 31, 2011, and continue December 31, 2012. Compensation shall not exceed \$5,000. **(Contract No. C20110597)**

m) INFORMATION SERVICES:

44. Interlocal Cooperative Agreement with Skagit Council of Governments for the Financial Management Technology Services (FMFS) to access the County's operated financial system, which includes General Ledger, Account Payable and other financial services. The Agreement shall commence on the date of execution and terminate on January 1, 2014. Rates for service will be on a time and materials basis. **(Contract No. C20110598)**

n) PLANNING AND DEVELOPMENT SERVICES:

45. Personal Services Agreement with The Drain Doctor for water and wastewater inspection and maintenance services in the Skagit County Clean Water District Edison Sub-Area. The Agreement shall commence on January 1, 2012, and continue until December 31, 2013. Compensation shall not exceed \$21,396. Any additional labor shall be charged at an hourly rate of \$79.50 per hour plus sales tax (technician), and at an hourly rate of \$39.50 per hour plus sales tax (service assistant), if needed. **(Contract No. C20110599)**
46. An Ordinance adopting changes to Skagit County Code chapters 14.04 and 14.24 and enrolling Skagit County in the Engrossed Substitute House Bill (ESHB) 1886 Voluntary Stewardship Program for Critical Areas Protection. **(Ordinance No. C20110013)**
47. Amendment No. 4 to Personal Services Agreement No. C20070527 with Graham-Bunting & Associates for land use planning services. The purpose of this Amendment is to extend the term of the Agreement from December 31, 2011, to December 31, 2012. All other terms and conditions of the original Agreement and subsequent Amendments shall remain in effect. **(Amendment No. A20110182)**
48. Amendment No. 6 to Personal Services Agreement No. C20070158 with Mark Personius to provide on-call planning services. The purpose of this Amendment is to extend the term of the Agreement from December 31, 2011, to December 31, 2012. This Amendment increases compensation by \$25,000, for a new compensation amount not to exceed \$250,000. **(Amendment No. A20110183)**

o) PROSECUTING ATTORNEY:

49. Personal Services Agreement with Allen R. Emerson & Associates to provide

court reporter and transcription services for victim, witness and/or defendant interviews and depositions. The Agreement shall commence on the January 1, 2012, and continue until December 31, 2012. Compensation shall not exceed \$5,000. **(Contract No. C20110600)**

p) PUBLIC WORKS:

50. Resolution calling for bids for one (1) new front-end loader. The bid opening is scheduled to take place on Monday, January 9, 2012, at 2:00 p.m. **(Resolution No. R20110417)**
51. Resolution calling for bids for procurement of maintenance materials with annual purchases expected to exceed \$25,000. The bid opening is scheduled to take place on Tuesday, January 17, 2011, at 2:00 p.m. **(Resolution No. R20110418)**
52. Resolution calling for bids for rental equipment with expected annual expenditures to exceed \$25,000. The bid opening is scheduled to take place on Tuesday, January 17, 2012, at 2:30 p.m. **(Resolution No. R20110419)**
53. Construction Contract Agreement with Interwest Construction, Inc. for the Parson Creek Road Stabilization Project #ES52000-1, and Friday Creek Road Stabilization Project #ES50210-1, as authorized by Resolution R20110367. The Agreement shall commence on the date of execution and continue until complete. Compensation shall not exceed \$212,946. **(Contract No. C20110601)**
54. Fuel Tax Grant Distribution Agreement with the Washington State Transportation Improvement Board (TIB) Project No. 9-W-029(002)-1 for the Anderson/LaVenture Road Extension Projects: Cedardale to Blodgett ES71000-1 and Blodgett to Blackburn ES71000-1B. The Grant provides \$5.5 million in TIB funds to be used for the project. **(Contract No. C20110602)**
55. Supplemental Agreement No. 1 to Local Agency Standard Consultant Agreement with Otak, Inc. for the Anderson/LaVenture Road Extension Projects: Cedardale to Blodgett ES71000-1 Federal Aid #STPUS-7337(005) and Blodgett to Blackburn ES71000-1B Federal Aid #STPUS-7337(004). Skagit County Contract No. C20100080. The purpose of this Amendment is to amend the completion date from December 31, 2011, to December 31, 2013. This Amendment increases compensation by \$139,300, for a new contract total not to exceed \$1,131,450. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20110184)**

q) RISK MANAGEMENT:

56. Personal Services Agreement with Evergreen Safety Council to provide a qualified instructor for miscellaneous safety and health trainings as requested. The Agreement shall commence on December 31, 2011, and continue until December 31, 2012. Compensation shall not exceed \$10,000. **(Contract No. C20110603)**
57. Personal Services Agreement with Allied Claims Service Inc. to provide

professional adjustment services for property and casualty claims. The Agreement shall commence on December 31, 2011, and continue until December 31, 2012. Compensation shall not exceed \$20,000. **(Contract No. C20110604)**

58. Personal Services Agreement with Listen Audiology Services Inc. to provide mandated hearing test, reports and letters for Skagit County employees in accordance with State and Federal regulations. The Agreement shall commence on December 31, 2011, and continue until December 31, 2012. Compensation shall not exceed \$4,800. **(Contract No. C20110605)**

r) SHERIFF:

59. Amendment No. 6 to Agreement No. C20060221 with Okanogan County for the housing of inmates in the Okanogan County Jail. The purpose of this Amendment is extend the term of the Agreement from December 31, 2011, to December 31, 2012. This Amendment increases rates to house the Skagit County inmates from \$51 per day to \$52.00 per day, effective January 1, 2012. All other terms and conditions of the original Agreement and subsequent Amendments shall remain in effect. **(Amendment No. A20110185)**

s) TREASURER:

60. Resolution to accept a report of the Treasurer's annual designation of financial institutions qualifying as public depositories for Skagit County. **(Resolution No. R20110420)**

VI. RATIFICATION AGENDA (items 61 through64):

t) NOXIOUS WEED:

61. Resolution authorizing the ratification of Interagency Agreement No. K779 with the Washington State Department of Agriculture to provide funding for a project to control invasive knotweed species on the Skagit River and associated tributaries within Skagit County. The Interagency Agreement was not received until the end of October 2011, no work has occurred. **(Resolution No. R20110421)**

62. Interagency Agreement No. K779 with the Washington State Department of Agriculture to provide funding for a project to control invasive knotweed species on the Skagit River and associated tributaries within Skagit County. The Agreement commenced on July 1, 2011, and shall be completed on or before June 30, 2012. Compensation to Skagit County shall not exceed \$13,072. **(Contract No. C20110606)**

u) OFFICE OF JUVENILE COURT:

63. Resolution authorizing the ratification of Interagency Agreement No. IAA12046 with the State of Washington Administrative Office of the Courts for Truancy, At Risk Youth, and Child in Need of Services (CHINS) programs pursuant to Chapter 13.32A, Revised Code of Washington (RCW). The

Agreement was received after the start of the contract performance period.
(Resolution No. R20110422)

64. Interagency Agreement No. IAA12046 with the State of Washington Administrative Office of the Courts for Truancy, At Risk Youth, and Child in Need of Services (CHINS) programs pursuant to Chapter 13.32A, Revised Code of Washington (RCW). The Agreement commenced on July 1, 2011 and shall continue until June 30, 2012. Compensation to Skagit County shall not exceed \$298,339. **(Contract No. C20110607)**

VII. ADJOURNMENT:

Chairman Wesen adjourned the proceedings at 1:35 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