

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, APRIL 30, 2012**

The Skagit County Board of Commissioners met in regular session on Monday, April 30, 2012, with Commissioners Kenneth A. Dahlstedt, Sharon D. Dillon, and Ron Wesen present.

I. CALL TO ORDER:

Chairman Dahlstedt called the proceedings to order at 1:15 p.m.

II. PLEDGE OF ALLEGIANCE:

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

III. AGENDA:

- a) * 9:15 a.m. - 9:50 a.m. Executive Session (Litigation)
- b) * 10:00 a.m. - 11:30 a.m. Skagit Valley Hospital Mental Health Center Open House (1415 East Kincaid Street, Second Floor, Mount Vernon)
- c) 1:15 p.m. - 1:30 p.m. Administrative Services - Tim Holloran, County Administrator:

County Administrator Tim Holloran introduced Klickitat County Commissioner Dave Sauter.

1. Meet and Greet Klickitat County Commissioner Dave Sauter

Klickitat County Commissioner Dave Sauter read a letter to the Skagit County Board of Commissioners dated April 24, 2012, from the Klickitat Board of County Commissioners. The letter thanked Skagit County for approving Supplemental Agreement No. 3 (Amendment No. A20120030) to Skagit County Contract No. 001795 with Regional Disposal Company for solid waste transportation and disposal services. The Supplemental Agreement amends the terms of the original Agreement, extending it through September 30, 2023. Commissioner Sauter said that this extension helped preserve jobs in Skagit County and Klickitat County and that the Klickitat County Commissioners appreciated Skagit County's partnership.

Chairman Dahlstedt appreciated the news from Klickitat County. He said that Skagit County is able to provide competitive rates to the citizens of Skagit County because of the good partnerships formed with the cities and with Allied Waste Services.

Public Works Solid Waste Division Manager Kevin Renz agreed with the Commissioners and was pleased that the amended contract satisfied the needs in both Skagit and Klickitat Counties.

Chairman Dahlstedt recessed the proceedings at 1:26 p.m.

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

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

Chairman Dahlstedt invited Parks, Recreation, and Fair Director Brian Adams to discuss two of the items on consent agenda. Mr. Adams explained item 9 and 10.

A motion was made by Commissioner Wesen to approve Consent Agenda Items 1 through 18, Ratification Items 19 through 24, vouchers and warrants for Monday, April 30, 2012. Commissioner Dillon seconded the motion.

The vote passed unanimously.

Chairman Dahlstedt recessed the proceedings at 1:32 p.m.

- e) * 2:00 p.m. - 2:30 p.m. Executive Session (None Scheduled as of the Date of this Notice)
- f) 2:30 p.m. - 4:00 p.m. Administrative Services - Tim Holloran, County Administrator:

Chairman Dahlstedt reconvened the proceedings and introduced County Administrator Tim Holloran.

1. Presentation and Recommendation by Emergency Services Consulting International: Skagit County EMS Tax Levy Analysis

Mr. Holloran said that Skagit County entered into an Agreement with Emergency Services Consulting International (ESCI) on March 12, 2012. He said that ESCI performed many interviews and gathered a lot of information in order to bring forward a comprehensive recommendation for updating the current tax levy. Mr. Holloran said that the report provided a realistic assessment of the levy and he introduced Jack Krakeel and Kyle Gorman of ESCI. Mr. Gorman thanked the Commissioners for their confidence in their firm to perform the Emergency Medical Services (EMS) levy analysis. Mr. Gorman pointed out that ESCI was asked to make a determination about the future of the EMS levy and what would be necessary to maintain current levels of service. He said that they did not, nor were they asked, to perform an operational analysis of the organization.

Mr. Gorman said that ESCI has performed levy analysis services for communities all over the country and that they had developed a structured method for evaluating levies which included gathering a lot of data, reviewing state laws, performing interviews, gaining knowledge on the history of the levy in the community, and looking at future demands on the EMS system.

Mr. Gorman reported that ESCI developed a list of potential solutions but were bringing forward only one recommendation. He said that the current system cannot continue to provide existing services without an increase to the EMS levy. He said that if the levy was not increased then the system would see longer response times for emergency calls, lower levels of service, and higher fees.

ESCI evaluated EMS levy rates and determined that any rate less than \$0.35 cents would be insufficient to sustain the system and maintain and replace equipment. Mr. Gorman said that ESCI was recommending that Skagit County support an EMS levy rate of \$0.375 per thousand dollars.

Mr. Gorman briefed the Commissioners on the EMS system in Skagit County, response times, and factors that impacted EMS system revenues which included the tax levy, patient transport fees, and direct and indirect support from other government agencies. Mr. Gorman showed a comparative chart of other levy rates in similar counties. The chart showed that Skagit County had the lowest levy rate and if increased to \$0.375, Skagit County would still have one of the lowest rates.

Mr. Krakeel discussed EMS levy funding, the majority of which came from property taxes, and a portion through transport fees. He showed a chart and discussed property valuations and the EMS taxes collected from 2007 through 2011. Mr. Krakeel was predicting cumulative future losses in 2012 and 2013 of half a million dollars. Mr. Krakeel also discussed medical services transport revenues. He reported that transport reimbursement rates were declining and were at risk due to national healthcare changes and Medicare reimbursement rates. Mr. Krakeel reported that users of the EMS system included private payers, Medicare payments, and health care insurance payments. Mr. Krakeel said that Skagit County has a high Medicare population which is expected to grow based on demographic projections.

Mr. Krakeel also discussed internal and external factors which impact EMS system expenditures. Mr. Krakeel said that some internal, and controllable, factors included response time requirements, response to increasing demand for staffing and deployment, technology use, and administrative expenses. Some external, and uncontrollable, factors included community and population growth, the local economy, inflation, and mutual aid capability.

Mr. Krakeel projected the financial requirements needed through 2018 which included a systems analysis and management plan, staffing, additional surge capacity, equipment upgrades, and ambulance replacements.

Mr. Krakeel said that without an EMS levy, at least two ambulances would be lost, there would be longer response times, increased fees, decreased availability for units during peak demand, no capital replacement, an adverse impact on fire protection, and a degrading of quality of care.

Commissioner Wesen and Mr. Krakeel discussed ESCI's concerns regarding Medicare payments for ambulance fees.

Commissioner Dillon and Mr. Krakeel discussed some of the expenditures and the need for ambulances to have the tools and medical devices necessary to respond to emergencies. She said that the proposed EMS levy of \$0.375 was recommended in order to continue to provide the current level of service and that the increase was based on verifiable data.

Chairman Dahlstedt said that when the last levy was passed, no one could predict the current state of the economy. And that, at that time, the system had a healthy reserve. He said that there was no reserve now and that they needed to plan for the current state of the economy. Chairman Dahlstedt thanked ESCI for the hard work and recommendation. He said that it would now be up to the public to make the tough decision.

Mr. Gorman thanked the Commissioners and he asked that they accept their report and acknowledge that ESCI met the requirements of the project.

A motion was made by Commissioner Dillon to approve the EMS Levy Analysis Report prepared by ESCI as a working document to use to make recommendations to the voters. Commissioner Wesen seconded the motion. The vote passed unanimously.

2. Recommendation: Earl Klinefelter, Skagit County EMS Commission Manager

Mr. Holloran said that the next step would be for the Commissioners to execute a Resolution authorizing a proposition for the continuation of a 6-year Emergency Medical Services Levy supporting the Medic 1 system.

The Skagit County EMS Commission heard ESCI's recommendation and passed a Resolution supporting the recommended increase of \$0.375 cents. Commissioner Dillon said that the decision was unanimous and that EMS Commission members include individuals from multiple municipalities and entities. The Commissioners thanked ESCI for the information and they thanked the Skagit County EMS Commission for their support of the levy.

IV. CONSENT AGENDA (items 1 through 18):

a) COMMISSIONERS:

1. Record of the Proceedings for Monday, April 16, 2012. **(Approved)**
2. Record of the Proceedings for Monday, April 23, 2012. **(Approved)**

b) ASSIGNED COUNSEL:

3. Personal Services Agreement with Shauna L. Bean to provide indigent defense representation to

defendants held on SVP Civil Commitments per RCW 71.09. The Agreement shall commence on May 1, 2012, and continue until June 30, 2012. Compensation shall not exceed \$25,000. **(Contract No. C20120173)**

c) BUDGET AND FINANCE:

4. Resolution defining and adopting all County funds for accounting standards in compliance with Governmental Accounting Standards Board statement number 54 (GASB 54). **(Resolution No. R20120135)**

d) COMMUNITY SERVICES:

5. Funding Agreement with Skagit Valley Family YMCA to distribute low-income housing funds for support services, pursuant to Substitute House Bill 2163 and House Bill 2331. The Agreement commenced on January 1, 2012, pursuant to Resolution No. R20120091, and shall continue for one year. Compensation shall not exceed \$20,000. **(Contract No. C20120174)**

e) FACILITIES:

6. Vendor Services Agreement with Pratt Pest Management Northwest, Inc. to provide pest control treatments at County facilities, including (but not limited to) 1700 E. College Way, Mount Vernon, and 600 South 3rd Street, Mount Vernon. The Agreement shall commence on the date of execution and continue for no more than three years. Annual compensation is not to exceed \$1,700 plus sales tax; total compensation for the term of the Agreement shall not exceed \$5,520. **(Contract No. C20120175)**

f) HEALTH:

7. Amendment No. 1 to Consolidated Contract No. C16899 with the State of Washington Department of Health (Skagit County Contract No. C20110594). This Amendment adds Statements of Work for 5930 Public Health Funding and for Local Capacity Development Funds; amends Statements of Work for Office of Immunization & Child Profile (OICP), Public Health Emergency Preparedness and Response (PHEPR), and WIC Nutrition Program; and increases compensation by \$177,589, for a new total of \$735,569. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20120050)**
8. Amendment No. 2 to Consolidated Contract No. C16899 with the State of Washington Department of Health (Skagit County Contract No. C20110594). This Amendment adds a Statement of Work for EPA NEP PIC Program Competitive Award; amends Statements of Work for 5930 Public Health funding, EPA NEP OSS Competitive Award, Maternal & Child Health, and Public Health Emergency preparedness & Response (PHEPR); and increases compensation by \$592,751 for a new total of \$1,328,320. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20120051)**

g) PARKS, RECREATION AND FAIRGROUNDS:

9. Resolution authorizing the submission of application(s) for grant funding assistance to the Washington Wildlife and Recreation Program for projects related to improving portions of the Highway 20 Trail for access in high population areas. **(Resolution No. R20120136)**
10. Personal Services Agreement with Eccos Design, LLC for preparation of grant application materials to be submitted to the State of Washington Recreation and Conservation Office (RCO), and creation of a final presentation. The Agreement shall commence on the date of execution and continue until March 31, 2013. Compensation shall not exceed \$5,000. **(Contract No. C20120176)**

h) PLANNING AND DEVELOPMENT:

11. Real Estate Purchase and Sale Agreement with Steve R. Mailliard for Parcel P41278, subject to a grant from the Washington State Military Department, Emergency Management Division (Hazard Mitigation Assistance). The Agreement shall be effective on the date of execution. Compensation shall not exceed \$122,500, less Seller's share of costs deducted at closing. **(Contract No. C20120177)**

i) PUBLIC WORKS:

12. Resolution awarding the bid for one new mini-excavator to Van's Equipment Company for \$57,320.04 **(Resolution No. R20120137)**
13. Resolution awarding the bid for electrical repair and maintenance service to Dahl Electric, Incorporated. **(Resolution No. R20120138)**
14. Resolution amending Resolution R20110099 regarding the establishment of the Guemes Island Ferry Fare Structure. **(Resolution No. R20120139)**
15. Resolution establishing hours of operation for the Guemes Island Ferry and Rescinding Resolution R20080556. **(Resolution No. R20120140)**
16. Vendor Services Agreement with Wizard of Ooze to provide portable toilet rental units and servicing at various locations throughout Skagit County, and on-call servicing of County owned portable toilet units. The Agreement shall commence on May 1, 2012 and continue for one year. Compensation shall not exceed \$15,000. **(Contract No. C20120178)**
17. Vendor Services Agreement with Foss Maritime Company for the annual haul out and maintenance of the vehicle and passenger ferry M/V Guemes, as approved by Resolution No. R20120076. The Agreement shall commence on the date of execution and continue for one year. Compensation shall not exceed \$233,306. **(Contract No. C20120179)**

j) SHERIFF:

18. Amendment No. 5 to Agreement No. C20110414 with Safe Boats International, LLC. This Amendment changes portions of Section 6 of the Agreement regarding specifications for the patrol boat. All other terms and conditions of the original Agreement and subsequent Amendments shall remain in effect. **(Amendment No. A20120052)**

V. RATIFICATION AGENDA (items 19 through 24):

k) PROSECUTOR:

19. Resolution authorizing the ratification of a Personal Services Agreement with Katherine Porterfield to provide expert witness testimony in Skagit County Superior Court. A signed Agreement had not been returned prior to the start date of February 15, 2012. **(Resolution No. R20120141)**
20. Personal Services Agreement with Katherine Porterfield to provide expert witness services and testimony for prosecution in the cases of State v Larry Paul Williams, Skagit County Superior Court Cause No. 11-1-00927-0, and State v Carri Darlene Williams, Skagit County Superior Court Cause No. 11-1-00928-8. The Agreement commenced on February 15, 2012, and shall continue until December 31, 2013. Compensation shall not to exceed \$10,000. **(Contract No. C20120180)**
21. Resolution authorizing the ratification of a Personal Services Agreement with John D. Hutson to provide expert witness testimony in Skagit County Superior Court. A signed Agreement had not been returned prior to the start date of February 15, 2012. **(Resolution No. R20120142)**
22. Personal Services Agreement with John D. Hutson to provide expert witness services and

testimony for prosecution in the cases of State v Larry Paul Williams, Skagit County Superior Court Cause No. 11-1-00927-0, and State v Carri Darlene Williams, Skagit County Superior Court Cause No. 11-1-00928-8. The Agreement commenced on February 15, 2012, and shall continue until December 31, 2013. Compensation shall not to exceed \$10,000. **(Contract No. C20120181)**

l) PUBLIC WORKS:

23. Resolution authorizing the ratification of Amendment No. 1 to Personal Services Agreement No. C20110624 with Terracon Consultants, Inc. to conduct a Sand and Gravel Valuation Study of resources at the Butler Pit. Because of the quick turnaround required for this project, it was necessary to begin work before a contract amendment could be put in place. **(Resolution No. R20120143)**
24. Amendment No. 1 to Personal Services Agreement No. C20110624 with Terracon Consultants, Inc. to add Task 7, a Sand and Gravel Valuation Study of resources at the Butler Pit, and Task 8, Attend Meeting at Skagit County Offices. Compensation is increased by \$11,739, for a new contract total of \$86,739. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20120053)**

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 360669 through 360735 from Clearing Fund 696 in the total dollar amount of \$127,576.00 (Transmittal No. C-49-12); and
 - b) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$61,694.25 (Transmittal No. C-50-12); and
 - c) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$78,777.70 (Transmittal No. C-52-12); and
 - d) ACH Transfer Request Form and Certification to Washington Dental Service from Clearing Fund 696 in the total dollar amount of \$58,022.92 (Transmittal No. C-53-12); and
 - e) Warrants numbered 360738 through 361088 from Clearing Fund 696 in the total dollar amount of \$2,244,061.86 (Transmittal No. C-54-12); and
 - f) Payroll warrants numbered 297173 through 297861 in the total dollar amount of \$1,073,789.94 (Transmittal No. P-15-12); and
 - g) Junior District Payroll warrants numbered 996650 through 996813 in the total dollar amount of \$240,242.26 (Transmittal No. P-16-12).

VII. ADJOURNMENT:

Before adjourning for the day, Commissioner Wesen announced that the Board of Health meeting scheduled for May 22, 2012, had been rescheduled to May 29, 2012, at 10:30 a.m. and that the Board of Health would be making a decision at that time on whether or not to make the entire Samish Watershed a Marine Recovery Area.

Chairman Dahlstedt adjourned the proceedings at 3:35 p.m.

The Commissioners attended an executive session from 9:25 a.m. to 10:08 a.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: Rich Weyrich, Will Honea, and Stephen Fallquist. Commissioners Ron Wesen, Ken Dahlstedt, and Sharon Dillon, and County Administrator Tim Holloran, Public Works Director Henry Hash, Public Health Director Peter Browning, Environmental Health Manager Corinne Story, Skagit County Engineer Paul Randall-Grutter, Project Manager David Walde, and Project Manager Mike Farthing also attended the executive session.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Kenneth A. Dahlstedt, Chairman

Sharon D. Dillon, Commissioner

Ron Wesen, Commissioner

ATTEST:

Linda Hammons, Clerk of the Board