

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, MAY 14, 2012**

The Skagit County Board of Commissioners met in regular session on Monday, May 14, 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 9:30 a.m.

II. PLEDGE OF ALLEGIANCE:

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

III. AGENDA:

- a) *8:30 a.m. - 9:00 a.m. Briefing - County Commissioners/County Administrator
- b) 9:30 a.m. - 10:30 a.m. Consideration of the Hearing Examiner's Recommendation for Approval for the Following Open Space Applications:

Karie Storle, Residential Appraiser from the Assessor's Office, was present to brief the Commissioners on the Open Space Applications.

- 1. Resolution Concerning an Open Space Application of Skagit Land Trust to Include Approximately 54.96 Acres in the Current Use Open Space Program (CU/OS #002-2011)

Ms. Storle said that the goal of owner was to preserve the land and keep it as a natural forested area.

Commissioner Wesen asked if there would be a timber management plan put in place. Ms. Storle answered no.

A motion was made by Commissioner Dillon to approve a Resolution Concerning an Open Space Application of Skagit Land Trust to Include Approximately 54.96 Acres in the Current Use Open Space Program (CU/OS #002-2011) (**Resolution No. R20120149**) Commissioner Wesen seconded the motion.
The vote passed unanimously.

- 2. Resolution Concerning an Open Space Application of Jeff Miller to Transfer 22 Acres from Farm and Agriculture to the Current Use Farm Conservation Program (CU/FCP #003-2011)

Ms. Storle said that Mr. Miller wished to transfer the parcel to the Current Use Farm Conservation Program due to the economy, so that he could later return it to Farm and Agriculture Current Use when he was ready to breed, train, and raise horses again.

Commissioner Wesen discussed the Ariel photograph of the parcel with Ms. Storle.

A motion was made by Commissioner Wesen to approve a Resolution Concerning an Open Space Application of Jeff Miller to Transfer 22 Acres from Farm and Agriculture to the Current Use Farm Conservation Program (CU/FCP #003-2011) (**Resolution No. R20120150**) Commissioner Dillon seconded the motion.
The vote passed unanimously.

3. **Resolution Concerning an Open Space Application of Double Creek LLC to Include Approximately 9.62 Acres in the Current Use Timber Program (CUTMB #002-2011)**

Ms. Storle said that the property had not been harvested due to the lack of timber and that a timber management plan had been submitted. She said that the owners also owned other parcels that were already in the timber program.

A motion was made by Commissioner Dillon to approve a Resolution Concerning an Open Space Application of Double Creek LLC to Include Approximately 9.62 Acres in the Current Use Timber Program (CUTMB #002-2011) (**Resolution No. R20120151**) Commissioner Wesen seconded the motion.
The vote passed unanimously.

4. **Resolution Concerning an Open Space Application of Robert Jarvis to Include Approximately 10.96 Acres in the Current Use Timber Program (CUTMB #004-2011)**

Ms. Storle said that the property was not yet in any Current Use Programs in Skagit County, but that an adjacent property he owned in Whatcom County was.

A motion was made by Commissioner Dillon to approve a Resolution Concerning an Open Space Application of Robert Jarvis to Include Approximately 10.96 Acres in the Current Use Timber Program (CUTMB #004-2011) (**Resolution No. R20120152**) Commissioner Wesen seconded the motion.
The vote passed unanimously.

5. **Resolution Concerning an Open Space Application of Robert and Sandra Augir to Include 8.01 Acres in the Current Use Open Space Program (CU/OS #004-2011)**

Ms. Storle said that the owners wanted to preserve and conserve the land in its natural state and prevent development. She said the property has some wetlands and wild deer, eagles and bears.

A motion was made by Commissioner Dillon to approve the resolution concerning an Open Space Application of Robert and Sandra Augir to include 8.01 acres in the Current Use Open Space Program (CU/OS #004-2011) (**Resolution No. R20120153**) Commissioner Wesen seconded the motion.
The vote passed unanimously.

Chairman Dahlstedt recessed the proceedings at 9:38 a.m.

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

Commissioner Dillon reconvened the proceedings at 11:30 a.m.

Seeing no one present for public comment, Commissioner Wesen moved to close the public comment period, which was seconded by Commissioner Dillon. The motion passed unanimously.

Commissioner Dillon recessed the proceedings at 11:34 a.m.

d) 11:45 a.m. - 12:00 p.m. Proclamation: "National Public Works Week" May 20 - 26, 2012

Commissioner Dillon reconvened the proceedings at 11:45 a.m.

Director Henry Hash and Engineer Paul Randall-Grutter discussed National Public Works Week and they showed a video which depicted what could happen in a day without Public Works.

The Commissioners thanked Public Works for the variety of services they perform every day for the citizens of Skagit County.
Commissioner Wesen read the proclamation regarding May 20 through May 26, 2012 as National Public Works Week.

Commissioner Dillon recessed the proceedings at 11:59 a.m.

- e) 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. Commissioner Wesen and Commissioner Dillon made comments on consent agenda items 23 and 24 which dealt with a Lake Management District.

A motion was made by Commissioner Dillon to approve consent agenda items 1 through 24, ratification items 25 through 27, vouchers and warrants for Monday, May 14, 2012. Commissioner Wesen seconded the motion.
The vote passed unanimously.

- f) *2:00 p.m. - 2:30 p.m. Executive Session (Potential Litigation)

- g) *2:30 p.m. - 4:00 p.m. Executive Session (None Scheduled as of the Date of this Notice)

IV. CONSENT AGENDA (items 1 through 24):

- a) COMMISSIONERS:

1. Record of the Proceedings for Monday, May 7, 2012. **(Approved)**

- b) APPOINTMENTS:

2. Resolution appointing David Smoots to the office of Commissioner of Skagit County Fire Protection District No. 6, filling an unexpired term caused by the resignation of Steve Omdal, effective December 19, 2011. Fire Protection District No. 6 did not make an appointment within the time frame designated by RCW 42.12.070. **(Resolution No. R20120154)**

- c) CLERK:

3. Resolution to award the bid for debt collection services for the Superior Court Clerk to Alliance One Receivables Management, Inc. **(Resolution No. R20120155)**

- d) COMMUNITY SERVICES:

4. Funding Agreement with Northwest Youth Services to distribute low-income housing funds 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 through December 31, 2012. Compensation shall not exceed \$20,000. **(Contract No. C20120189)**
5. Amendment No. 1 to Personal Services Agreement No. C20120135 with Skagit County Community Action Agency for the specific purpose of coordinating, implementing and supporting the Skagit County Community Services Truancy School Attendance Review Board (SARB) and Community Services Project. The purpose of this Amendment is to approve access to the County computer network by the Contractor's VISTA member. The Amendment shall commence on the date of execution and continue until June 30, 2013. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20120054)**
6. Amendment No. 1 to Personal Services Agreement No. C20110469 with Skagit Recovery Center

for the provision of recovery support services to enrolled WA-CARES clients. This Amendment increases compensation by \$14,300, for a new total of \$60,885. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20120055)**

7. Personal Services Agreement with Volunteers of America, Dispute Resolution Center, to provide a meeting model to the Community Services LYNCS staff for Care Coordination meetings, and training to support use of the meeting model. The Agreement shall commence on June 5, 2012, and continue until December 31, 2012. Compensation shall not exceed \$2,100. **(Contract No. C20120190)**
- e) CONSERVATION FUTURES:
8. Site Specific Agreement with Ducks Unlimited for Skagit Farmland Acquisition Project Number US-WA-219-1, to help facilitate acquisition of a Conservation Easement Deed on parcels owned by Nolan and Shirley Lee, and Garritt and Sheryl Kuipers. The Agreement shall commence on the date of execution and continue for 18 months. Ducks Unlimited shall reimburse Skagit County \$148,000 for costs incurred in the acquisition. **(Contract No. C20120191)**
- f) FACILITY MANAGEMENT:
9. Vendor Services Agreement with Esary Roofing and Siding to repair the roof of the "Moen Building," a County facility located at 315 South 3rd Street, Mount Vernon. The Agreement shall commence on the date of execution and continue for one year from the date of execution. Compensation shall not exceed \$11,364.50 plus sales tax. **(Contract No. C20120192)**
 10. AIA Standard Form of Agreement with Carletti Architects, P.S. to provide basic architectural services for the design, preparation of construction documents, and construction administration for remodeling a portion of the East County Community Resource Center Building, 45770 Main Street, Concrete, WA. The Agreement shall commence on the date of execution and continue until services are completed. Compensation shall not exceed \$13,500. **(Contract No. C20120193)**
- g) HEALTH:
11. Temporary Construction Easement between Skagit County and Andranita Roberts on real property on Parcel number P34206 to allow for the repair of a failing on-site sewage (septic) system. The Easement shall commence on the date of execution. **(Contract No. C20120194)**
- h) HUMAN RESOURCES:
12. Memorandum of Agreement with AFSCME Local 176 (Public Works) regarding 2012 closure days. **(Contract No. C20120195)**
- i) INFORMATION SERVICES:
13. Resolution amending R20120108 regarding the transfer of surplus computer equipment to the Burlington Edison School District. **(Resolution No. R20120156)**
- j) PARKS, RECREATION AND FAIR:
14. Personal Services Agreement with Kerry Sharp, Hypnotist, for four (4) performances at the 2012 Skagit County Fair. The Agreement shall commence on August 8, 2012, and continue until August 9, 2012. Compensation shall not exceed \$2,000. **(Contract No. C20120196)**
- k) PLANNING AND DEVELOPMENT SERVICES:
15. Amendment No. 1 to Grant Number E11-133 (Skagit County Contract No. C20110071), extending the FEMA Hazard Mitigation Buyout Grant end date to August 30, 2012. All other

terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20120056)**

16. Personal Services Agreement with Mark Personius to assist in consideration of a Transfer of Development Rights (TDR) program, and, if so directed by the Board of County Commissioners, to develop a TDR program, policies, and implementing ordinance. The Agreement shall commence on the date of execution and end on December 31, 2014. Compensation shall not exceed \$55,680. **(Contract No. C20120197)**

l) PUBLIC WORKS:

17. Resolution initiating County Road Projects (Cascade River Road Pavement Preservation; Concrete Sauk Valley Road Bank Stabilization; Fish Passage Culvert Study; Friday Creek Culvert Replacement ; Old Day Creek Road Culvert Replacement; Old Highway 99 North BNSF Trestle Replacement). **(Resolution No. R20120157)**
18. Resolution to call for bids for the purchase of a salvaged railcar and precast concrete abutments for the Hansen Creek Pedestrian Bridge Replacement Project. The bid opening is scheduled to take place on Monday, June 4, 2012 at 2:00 p.m. or as soon as possible thereafter. **(Resolution No. R20120158)**
19. Resolution for approval of maps, plans, and specifications and call for bids for the 2012 Asphalt Overlay Project, #ESA012-1 (Fir Island Road, #40200, from Pioneer Highway to South Fork Bridge; Farm-to-Market Road, #31010, from the Burlington Northern Railroad to north of Ovenell Road; and Chilberg Road, #42200 from Chilberg Lane to Roundabout). The bid opening is scheduled to take place on Monday, June 4, 2012, at 2:00 p.m. or as soon as possible thereafter. **(Resolution No. R20120159)**
20. Amendment No. 1 to Local Agency Standard Consultant Agreement (C20100504) with Brown and Caldwell to update rates of pay, as listed in revised Exhibit E-2. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20120057)**
21. Temporary Easement granted by Wayne Stiles and Loralen Stiles on a portion of Parcel No. P101808, located at 31769 Pipeline Lane, Sedro-Woolley, for Natural Resources Stewardship Program (NRSP) riparian restoration and maintenance. The Easement shall commence on the date of execution and continue for ten (10) years. All work associated with this Temporary Easement is 75% funded by the Washington State Department of Ecology Grant No. G0900062, NRSP, Skagit County Grant Funding Agreement No. C20080607, and is 25% funded by the Clean Water Fund 120. **(Contract No. C20120198)**
22. Right-of-Way Easement granted by the Port of Skagit County over Parcel No. P109551, required for the Run-Off-Road and Intersection Safety Project ESTS11-1, Federal Aid #HSIP-OOOS(275) at the intersection of Josh Wilson Road and Farm to Market Road. The Easement Agreement shall commence on the date of execution, and be perpetual in duration. **(Contract No. C20120199)**
23. Resolution rescinding R20120129 concerning Lake Management District No. 1 and suspending the current election. **(Resolution No. R20120160)**
24. Resolution submitting the question of reforming Skagit County Lake Management District No. 1 for Big Lake. **(Resolution No. R20120161)**

V. RATIFICATION AGENDA (items 25 through 27):

m) INFORMATION SERVICES:

25. Resolution authorizing the ratification of an Interlocal Agreement for the provision of Skagit 21 Video Production Services with the City of Mount Vernon. Negotiations regarding the date of

termination created a delay in delivery of the contract. **(Resolution No. R20120162)**

26. Interlocal Agreement with the City of Mount Vernon for the provision of services to Skagit County, including: 1) Up to 133 hours of television production time, for Audio-Visual Co-productions for Skagit 21; 2) Provision of 3 completed copies of each Co-production; 3) Other project work as mutually agreed upon. The Agreement commenced on January 1, 2012 and shall continue until December 31, 2012. Compensation shall not exceed \$10,000. **(Contract No. C20120200)**
27. Amendment No. 1 to Interlocal Agreement No. C20120200 with the City of Mount Vernon, providing clarification on Section 3, "Consideration". All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20120058)**

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 361581 through 361646 from Clearing Fund 696 in the total dollar amount of \$129,129.15 (Transmittal No. C-57-12); and
 - b) Warrants numbered 361647 through 361647 from Clearing Fund 696 in the total dollar amount of \$26,194.84 (Transmittal No. C-58-12); and
 - c) Warrants numbered 361648 through 362018 from Clearing Fund 696 in the total dollar amount of \$5,121,431.66 (Transmittal No. C-59-12); and
 - d) Payroll warrants numbered 297862 through 298554 in the total dollar amount of \$1,077,628.05 (Transmittal No. P-17-12).

VII. ADJOURNMENT:

Chairman Dahlstedt adjourned the proceedings at 1:32 p.m. and announced an executive session on Monday, May 14, 2012. The Commissioners attended the executive session from 2:05 p.m. – 2:27 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: Richard Weyrich, Will Honea, and Stephen Fallquist. Skagit County Administrator Tim Holloran, Public Works Director Henry Hash, Engineer Paul Randall-Grutter, and Engineering Technician Shane Whitney were also in attendance.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Kenneth A. Dahlstedt, Chairman

Sharon D. Dillon, Commissioner

Ron Wesen, Commissioner

ATTEST:

Linda Hammons, Clerk of the Board