

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
TUESDAY, MAY 29, 2012**

The Skagit County Board of Commissioners met in regular session on Tuesday, May 29, 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 10:01 a.m.

II. PLEDGE OF ALLEGIANCE:

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

III. AGENDA:

- a) *8:30 a.m. - 10:00 a.m. Briefing - County Commissioners/County Administrator
- b) 10:00 a.m. - 10:30 a.m. Planning and Development Services - Dale Pernula, Director:
 - 1. Discussion/Possible Action: Natural Resource Land Easement (NRLE) for Short CaRD PL 12-0035, Submitted by Inger Gibson

Senior Planner Marge Swint reported that per Skagit County Code 14.18.310 (5)(b) the open space area within CaRD's zone Ag-NRL, IF-NRL, SF-NRL, or RRc-NRL will be designated as Open Space-Natural Resource Lands (Os-NRL) unless designated Open Space-Protection Areas (Os-PA). The purpose of the Natural Resource lands designation is to preserve the natural resources lands within the County by clustering development and leaving the remainder open for resource production. All open space designated Os-NRL shall be placed in a Natural Resource Land Easement (NRLE) which restricts the grantor and its heirs, successor and assigns from exercising rights to use and subdivide the land for any and all residential, recreation, commercial, and industrial purposes and activities which are not incidental to the purpose of the NRLE until such time that the land no longer has long-term commercial significance for the production of food, agriculture products, timber or extraction of minerals.

Ms. Swint stated that the subject property was approximately 21 acres, which was zoned Rural Resource. This short CaRD created one (1) 2.57 acre lot and one (1) 18.15 acre lot with a One (1) acre developed area and 17.15 acres as open space (Os-NRL) which will be encumbered by this easement. She indicated that the purpose of this easement was to assure that the natural resource designed open space area until the easement was terminated and to prevent any use of or activity in the open space that would significantly impair or interfere with the open space functions. The easement would confine the use of, or activity in the open space area to those uses and activities consistent with this purpose. The property is located at 25328 Walker Valley Road, Mount Vernon.

A motion was made by Commissioner Wesen to approve and sign the Natural Resource Land Easement for Short CaRD PL12-0035 submitted by Inger Gibson. (**Contract No. C20120212**) Commissioner Dillon seconded the motion.
The vote passed unanimously.

2. Miscellaneous

There were no miscellaneous items for Planning and Development Services to discuss.

Chairman Dahlstedt recessed the proceedings at 10:09 a.m.

c) 10:30 a.m. - 11:30 a.m. Board of Health:

Chairman Dahlstedt convened the Board of Health at 10:32 a.m.

Director of the Skagit County Health Department Peter Browning was present to introduce the agenda items and to answer questions.

1. EnviroStars Participant Recognition

Environmental Health Specialist Polly Dubbel explained that the mission of EnviroStars was to provide assistance and incentives for smaller businesses and public organizations to reduce hazardous materials and waste, in order to protect public health, municipal systems, and the environment. She recognized Cap Sante Boat Haven; Chuckanut Veterinary Clinic, Janet Carroll Dentistry; La Conner Marina, and the Skagit County Road Shop for participating in the EnviroStars certification program.

2. Discussion/Possible Action: Resolution Adopting Amendments to Skagit County On-Site Sewage Management Plan - Marine Recovery Areas (MRA's)

Environmental Public Health Manager Corinne Story provided a brief history of the Marine Recovery Areas(MRA) in the Samish Watershed. Ms. Story indicated that the MRA boundaries had been revised from those proposed in December 2011. She indicated that the revised proposal excluded timbered parcels, revised the Willard Creek drainage and removed a portion of the southern boundary that drained into Joe Leary Slough. She reported that letters were sent to 1,200 property owners who might be affected by the adoption of amendments to the Skagit County On-Site Sewage Management Plan. Ms. Story reported that three comment letters, and over 50 telephone calls were received during the public period.

There was a discussion about who would receive the on-site sewage septic system mailings, the costs of professional septic systems inspections, and how to receive low interest loans for failing septic systems. Ms. Story indicated that more information could be found online at www.skagitcounty.net/septics101online, and information about rebates could be obtained by e-mailing Skagit County Environmental Health at

EH@co.skagit.wa.us.

A motion was made by Commissioner Dillon to approve adopting amendments to the Skagit County On-Site Sewage Management Plan modifying the boundaries of existing Samish Watershed Marine Recovery Areas and Sensitive Areas to create a new Marine Recovery Area called the Samish Watershed Marine Recovery Area. **(Resolution No. R20120172)** Commissioner Wesen seconded the motion.

The vote passed unanimously.

3. Pertussis Update

Communicable Disease Manager Sandi Paciotti stated that, to date, Skagit County had 343 pertussis (whooping cough) cases reported, which was the highest in Washington State. She indicated that the Health Department had been working with the State Department of Health and the Centers for Disease Control to try to stem the tide of new infections and reminded everyone to get a Tdap vaccine, which helps to protect against diphtheria, tetanus, and whooping cough.

4. Nurse Family Partnership (NFP) Program Update

Child/Family Health Nurse Manager Jennifer Walton explained that Washington State had been awarded Federal Maternal Infant Early Childhood Home Visiting (MIECHV) funds through the Affordable Care Act. She said that the funding would allow for the expansion of the Nurse-Family Partnership in Washington. Ms. Walton indicated that Skagit County was one of eight communities slated to receive a portion of this funding, which should support the addition of 2.5 nurses and some additional administrative support. She said that Thrive by Five, had a public-private anticipated start date of October 1, 2012. The funding was expected to be available for a three-year period.

The Commissioners thanked the Health Department for their persistence in acquiring the grant funds.

5. Skagit County Alliance for Healthcare Access (SCAHA) Update

Skagit County Alliance for Healthcare Access (SCAHA) Executive Director Cynthia Eichner indicated the SCAHA role was to direct people to the most appropriate health, dental and mental health care. She said that the purpose of the SCAHA was to facilitate processes that enable Skagit County residents to access appropriate and effective healthcare. Ms. Eichner said that the organization was working on developing nine main focus areas with staff from many medical facilities working on focus groups as well as community volunteers. One of the goals for 2012 was to develop an on-line and written resources guide.

Ms. Eichner discussed drug access, SeaMar Optimatization - Primary Care; Cultural Competency; Oral Care Services; Specialty Physician Access; Mental

Health Services; Eastern Skagit County Health Services Planning components.

Ms. Eichner thanked the Board of Health for supporting SCAHA.

The Commissioners thanked Ms. Eichner for the presentation.

6. Miscellaneous

Mr. Browning discussed the possibility of the requirement for the County to match state funds by a certain level to support public health, and the upcoming meetings with the Washington State Association of Local Public Health Officials (WSALPHO) program.

Chairman Dahlstedt recessed the proceedings at 11:30 a.m.

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

Chairman Dahlstedt reconvened the proceedings at 11:32 a.m.

Dan Squires of 5993 North Street in Juneau, Alaska, stated that he has owned property in Skagit County since 1960. Mr. Squires spoke about his experience with the Risk Management Department. He said that he owned a piece of property adjacent to Samish Island Road. He stated approximately three years ago, the County cut down a 400-year old fir tree on his property. He indicated that he was not contacted prior to the tree being cut down, and that there was nothing wrong with the tree. He requested that the County replace a fence on his property that had been removed.

Chairman Dahlstedt recessed the proceedings at 11:42 a.m.

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

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

V. CONSENT AGENDA FOR TUESDAY, MAY 29, 2012 (items 1 through 16):

Chairman Dahlstedt reconvened the proceedings at 1:31 p.m.

A motion was made by Commissioner Wesen to approve the consent agenda items 1 through 16, Ratification Agenda items 17 through 22, vouchers and warrants for Tuesday, May 29, 2012. Commissioner Dillon seconded the motion. The vote passed unanimously.

a) COMMISSIONERS:

1. Record of the Proceedings for Tuesday, May 8, 2012. **(Approved)**
2. Record of the Proceedings for Monday, May 21, 2012. **(Approved)**

b) ADMINISTRATIVE SERVICES:

3. Amendment No. 1 to Contract No. C20110062 with Northwest Clean Air Agency. This Amendment will extend the expiration date to October 31, 2012 and modify the scope of work, removing the Energy Savings Performance Contracting activity and bike racks, and adding the purchase and installation of electric vehicle charging stations. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20120060)**

c) AUDITOR:

4. Amendment No. 2C to Help America Vote Act (HAVA) Grant Agreement No. G2855 (Contract No. C20050162) with the State of Washington Office of the Secretary of State. The purpose of this Amendment is to award an additional \$11,000 for education and training of election officials, for a new grant total not to exceed \$27,000. The period of performance shall be extended through December 31, 2016. All other terms and conditions of the original Agreement and Amendments 2, 2A, and 2B shall remain in effect. **(Amendment No. A20120061)**

d) COMMUNITY SERVICES:

5. Amendment No. 1 to Contract No. C20110502 with Skagit Valley Family YMCA, providing recreation activities for Skagit residents with developmental disabilities. The Amendment increases compensation by \$6,792, for a new total not to exceed \$16,300. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20120062)**
6. Personal Services Agreement with Connie Bonner Britt to provide mental health services through the Community Wellness Program. The Agreement shall commence on July 1, 2012 and continue until June 30, 2013. Compensation shall not exceed \$10,000, and is funded by the 0.1% sales tax. **(Contract No. C20120213)**
7. Personal Services Agreement with Dion Menser to provide mental health services through the Community Wellness Program. The Agreement shall commence on July 1, 2012 and continue until June 30, 2013. Compensation shall not exceed \$10,000, and is funded by the 0.1% sales tax. **(Contract No. C20120214)**
8. Personal Services Agreement with CeCe Thomas to provide mental health services through the Community Wellness Program. The Agreement shall commence on July 1, 2012 and continue until June 30, 2013. Compensation shall not exceed \$10,000, and is funded by the 0.1% sales tax. **(Contract No. C20120215)**
9. Personal Services Agreement with Phoenix Recovery Services to provide substance prevention and treatment services. The Agreement shall commence on July 1, 2012, and continue until June 30, 2013. Compensation shall not exceed \$500,000, and is funded by State of Washington

Department of Social and Health Services, Division of Behavioral Health and Recovery. **(Contract No. C20120216)**

10. Personal Services Agreement with Skagit Recovery Center to provide chemical dependency treatment and support services to eligible persons. The Agreement shall commence on July 1, 2012, and continue until June 30, 2013. Compensation shall not exceed \$840,000, and is funded by State of Washington Department of Social and Health Services, Division of Behavioral Health and Recovery. **(Contract No. C20120217)**
11. Amendment No. 2 to Agreement No. C20110261 with Skagit Preschool and Resource Center (SPARC), changing the language of Exhibit C, Compensation, Item A, to a new rate of \$30.00 per hour. All other terms and conditions of the original Agreement and Amendment No. 1 shall remain in effect. **(Amendment No. A20120063)**

e) PROSECUTOR:

12. Resolution Authorizing Action to Enforce Compliance with the Skagit County Development and Health Codes and to Abate a Public Nuisance, against Rigoberto Vivanco and Estela Becerra. **(Resolution No. R20120173)**

f) PUBLIC WORKS:

13. Resolution calling for Public Hearing regarding a Road Name Change of a portion of County Road known as Roney Road, #30610, to Hopley Road, #30620. The public hearing is scheduled to take place on Tuesday, June 19, 2012, at 8:30 a.m., or as soon as possible thereafter. **(Resolution No. R20120174)**
14. Resolution awarding the bid for the Samish River Prairie Road Bridge Deck Repair Project #ES50000-6, Federal Aid #BHOS-29PR(0001), Bridge # 40055, to Schwetz Construction, Incorporated, in an amount not to exceed \$319,642.44. **(Resolution No. R20120175)**
15. Amendment No. 2 to Interagency Agreement No. C1100185 (Contract #C20110286) with the State of Washington Department of Ecology (DOE) for Samish Watershed Restoration. This Amendment adds elements under Task 2 (Project Implementation) and adjusts the budget to incorporate these changes (100% funded by DOE). All other terms and conditions of the original Agreement and Amendment No. 1 shall remain in effect. **(Amendment No. A20120064)**
16. Cooperative Service Agreement No. 12-73-53-2009-RA with the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Wildlife Services (WS), for wildlife control activities of pigeons and other nuisance species at the Anacortes/Guemes Island Ferry Terminal. The Agreement shall commence on June 1, 2012, and continue until June 30, 2013. Total compensation shall not exceed \$4,625. **(Contract No. C20120218)**

VI. RATIFICATION AGENDA (items 17 through 22):

g) FACILITY MANAGEMENT:

17. Resolution authorizing the ratification of a contract with Tri County Recycling, Inc. to provide weekly recycling services at Skagit County facilities. A signed contract was not received prior to commencement of services on May 1, 2012. **(Resolution No. R20120176)**
18. Vendor Services Agreement with Tri County Recycling, Inc. to provide weekly recycling services at various Skagit County facilities as outlined in Exhibit "A". The Agreement commenced on May 1, 2012, and shall continue until April 30, 2015. Total compensation shall not exceed \$7,938 annually, for a three-year contract total of \$23,814. **(Contract No. C20120219)**
19. Resolution authorizing the ratification of a contract with Northwest Moving & Storage, Inc. to move and store furniture as needed for replacement of carpet and flooring at Skagit County District Court offices. A signed agreement was not received prior to the commencement of services on March 16, 2012. **(Resolution No. R20120177)**
20. Vendor Services Agreement with Northwest Moving & Storage, Inc. to move and store office furniture as needed, for the replacement of carpet and flooring at the Skagit County District Court offices, 600 South Third Street, Mount Vernon. The work will be done on the weekend so that court proceedings are not disrupted. The Agreement commenced on March 16, 2012 and shall continue for one year. Compensation shall not exceed \$647.51 plus applicable sales tax. **(Contract No. C20120220)**

h) PUBLIC WORKS:

21. Resolution authorizing the ratification of an Interlocal Cooperative Agreement with Whatcom County to authorize mutual assistance for minor projects and services. The need for an Interlocal Agreement was created by an emergency damage situation on the Upper Finney Creek Bridge #40093, and the provision of specialized equipment and operators by Whatcom County between April 4, 2012 and April 13, 2012. **(Resolution No. R201200178)**
22. Interlocal Cooperative Agreement with Whatcom County to allow mutual assistance on minor projects and services on a reimbursable basis. This Agreement shall replace and supersede the previous Interlocal Cooperative Agreement with Whatcom County, #C20110541, dated December 5, 2011. The Agreement shall commence on the date of execution and continue through December 31, 2015. The work will be reimbursed at the actual cost incurred, in addition to 9% overhead charge to cover accounting, billing, and administrative services. **(Contract No. C20120221)**

VII. 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 362548 through 362782 from Clearing Fund 696 in the total dollar amount of \$565,114.69 (Transmittal No. C-63-12); and
- b) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$120,568.20 (Transmittal No. C-64-12); and
- c) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$60,423.11 (Transmittal No. C-65-12); and
- d) Payroll warrants numbered 298555 through 299253 in the total dollar amount of \$1,119,307.65 (Transmittal No. P-19-12); and
- e) Junior District Payroll warrants numbered 996991 through 997165 in the total dollar amount of \$259,540.25 (Transmittal No. P-20-12).

VIII. ADJOURNMENT:

There were no executive sessions scheduled for Tuesday, May 29, 2012.

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

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Kenneth A. Dahlstedt, Chairman

Sharon D. Dillon, Commissioner

Ron Wesen, Commissioner

ATTEST:

Linda Hammons, Clerk of the Board