

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
TUESDAY, SEPTEMBER 4, 2012**

The Skagit County Board of Commissioners met in regular session on Tuesday, September 4, 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 10:30 a.m.

II. PLEDGE OF ALLEGIANCE:

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

III. AGENDA:

a) *8:30 a.m. - 10:30 a.m. Briefing - County Commissioners/County Administrator

a) 10:30 a.m. - 11:30 a.m. Public Hearing Regarding the Creation of a Rural Partial County Library District in the Unincorporated Precincts of the Sedro-Woolley School District

Chairman Dahlstedt opened the public hearing at 10:46 a.m.

Beverly Conn of 1817 Township Street in Sedro-Woolley stated that she was the Chairperson of the Sedro-Woolley Partial Rural County Library District Committee. She introduced the City of Sedro-Woolley Librarian Debra Peterson and members of the Partial Rural County Library District Committee Beverly Ringhouse, Marjean Burke, and Linda Morgan who were present in the gallery. Ms. Conn explained that the partial rural county district proposal was being brought forward because of the need to develop alternative ways to serve the needs of the rural residents.

Ms. Conn briefly explained that a rural partial county library district could be formed in a portion of the unincorporated area of a county if there were no rural county library district or inter-county rural library. She said the general boundaries would be the Sedro-Woolley School District with the exception of Lyman, Hamilton and the City of Sedro-Woolley. She indicated that Lyman and Hamilton would be asked if they would want to become part of the rural partial county library. She further explained that the City of Sedro-Woolley and the Library Board would need to agree to place a proposal of annexation on the ballot.

Ms. Conn said that there are approximately 10,500 citizens within the City of Sedro-Woolley and explained the services that were currently being provided by the City of Sedro-Woolley and the additional services that could be provided if the partial rural county library district was formed.

Chuck Diver of 26971 Panorama Court in Sedro-Woolley asked whether the people that signed the petition would be responsible to pay the tax if the proposal were passed. A member in the gallery indicated that all the signers of petition were rural residents of the Sedro-Woolley School District.

Ed Bishop of 4950 Ida Drive in Sedro-Woolley stated that the additional taxes would cause him a hardship and asked whether the start up cost to form the rural library could be used to benefit the Sedro-Woolley Library. He requested that the Commissioners not approve the creation of the rural partial county library district.

Charlene Robinson of 31445 Barbin Road in Sedro-Woolley asked if the signatures were valid and why was the public hearing taking place. Ms. Robinson addressed some concerns with the creation of the rural partial county district and said that forcing rural residents to pay for library services was not fair.

Chairman Dahlstedt explained that the purpose of the public hearing was to give the public an opportunity to comment on whether the Sedro-Woolley Partial County Library District should be placed on the ballot.

Dave McConnell of 27103 Helmick Road; David Anderson rural Sedro-Woolley resident; Catherine Longfellow of 5318 Cedar Ridge Place; Elizabeth Schweikert of 29082 Outlook Lane; Jim Justice of 27103 Helmick Road; Chris Hunter of 23490 Mosier Road all spoke in favor of the creation of the Sedro-Woolley Partial County Library District.

City of Sedro-Woolley Supervisor and Attorney Eron Berg of 325 Metcalf Street in Sedro-Woolley stated that the process for the creation of a rural partial county library was a two part process. He explained that if the rural partial county library district were approved by the voters, the money generated from taxes would not go to the City of Sedro-Woolley or the City's library and would not supplant any of the City's expenses for library services. He indicated that the second part of the process would be for the City and the rural partial county library district to work together to establish an agreement for library services.

Seeing no further public testimony forthcoming Commissioner Dillon motioned to close the public hearing at 11:10 a.m. Commissioner Wesen seconded the motion, which passed unanimously.

Commissioner Dillon indicated that she supported the idea of county-wide rural library districts and said there were some unanswered questions.

Commissioner Wesen said that he thought it was important to have a library services available. He expressed concerns about the management of the extra revenue.

Chairman Dahlstedt indicated that he supported county-wide library districts.

Sedro-Woolley Liberian Debra Peterson explained that she was asked to provide an estimate of what a new library district would need to get started. She indicated the dollar amount that she estimated would be \$866,921, which was based on \$0.50 per 1,000 for that district. She went on to describe the services the library district could offer.

There was a brief discussion about the potential of a reciprocal agreement with the City of Sedro-Woolley and rural partial county library district if the district were formed.

Commissioner Dillon made a motion to make a decision on this matter on Tuesday, September 11, 2012, at 10:00 a.m. in the Commissioners' Hearing Room. Commissioner Wesen seconded the motion, which passed unanimously.

Chairman Dahlstedt recessed the proceedings at 11:29 a.m.

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

Chairman Dahlstedt reconvened the proceedings at 11:33 a.m.

Carol Ehlers of West Fidalgo Island provided the Commissioners with a memorandum that she had provided to Senior Planner Betsy Stevenson, dated July 24, 2012, regarding essential County documents to use in the Shoreline Master Plan benchmarking "no net loss". She mentioned that the County should refer to the May 18, 1995 Nookachamps Watershed Nonpoint Action Plan; the November 1993 Lower Skagit River Basin Water Quality Study, Final Report; May 30, 1995 Padilla Bay/Bay View Watershed Nonpoint Action Plan, the December 1995 Samish Bay Watershed Nonpoint Action Plan, and the December 2002 Growth Management Indicators Report. Ms. Ehlers stressed the importance of the County referencing and utilizing historical documents before any new reports are created.

Chairman Dahlstedt recessed the proceedings at 11:47 a.m.

- c) 1:30 p.m. - 2:00 p.m. Consent Agenda, Vouchers, Warrants, and Miscellaneous Items
- d) *2:00 p.m. - 4:00 p.m. Executive Session (None Scheduled as of the Date of this Notice)

IV. CONSENT AGENDA FOR TUESDAY, SEPTEMBER 4, 2012 (items 1 through 31):

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

A motion was made by Commissioner Wesen to approve the Consent Agenda items 1 through 31, Ratification Agenda items 32 through 35, vouchers and warrants for Tuesday, September 4, 2012. Commissioner Dillon seconded the motion. The vote passed unanimously.

a) COMMISSIONERS:

1. Record of the Proceedings for Monday, August 27, 2012. **(Approved)**
2. Resolution affirming the Hearing Examiner's decision of October 13, 2011, as modified by the Hearing Examiner's Supplementary Findings and Conclusions on Remand, dated May 29, 2012, which pertains to Closed Record Appeal No. PL11-0362, submitted by Robert Weeks, and PL11-0366 submitted by Evergreen Islands of the Preliminary Approval of Short Plat No. SF93-0040, submitted by Larry Dent. **(Resolution No. R20120281)**

b) ADMINISTRATIVE SERVICES:

3. Amendment No.1 to Personal Services Agreement No. C20120059 with Innovative Environments, LLC to provide services related to the protection and preservation of farmland and for the management of forest resources. The original Agreement commenced on March 1, 2012, and continues for two years with an option to extend the Agreement by one year after the first year has passed. The purpose of this Amendment is to update Exhibit "B", Compensation, by reducing compensation for the Farmland Legacy Program in the amount of \$13,000, and increase compensation for the Forest Resources Program by \$13,000. Total compensation remains unchanged at an amount not to exceed \$167,000. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20120111)**

c) AUDITOR:

4. Interlocal Cooperative Agreement with the Swinomish Indian Tribal Community to provide a secure and accessible site for placement of a County election ballot drop box on property for voters of Skagit County to deposit ballots during elections. The Agreement shall commence on the date the ballot drop box is installed and shall continue until the drop box is no longer utilized. **(Contract No. C20120366)**

d) BUDGET AND FINANCE:

5. Funding Agreement with the Skagit River Salmon Festival, which awards \$1,500 of Lodging Tax funds to support the advertising and promotion of Skagit River Salmon Festival event, as authorized by Resolution No. R20120223. The Agreement commenced on July 23, 2012, and shall continue until December 31, 2012. **(Contract No. C20120367)**

e) COMMUNITY SERVICES:

6. Resolution to terminate the appointment of Bryon Scott to serve as a Designated Mental Health Professional (DMHP) and Designated Crisis Responder (DCR) effective immediately. Bryon Scott is no longer employed as a DMHP or DCR with Compass Health, the certified provider of mental health emergency services in Skagit County. **(Resolution No. R20120282)**
7. Resolution to terminate the appointment of Warren Angel to serve as a Designated Mental Health Professional (DMHP) and Designated Crisis Responder (DCR) effective immediately. Warren Angel is no longer employed as a DMHP or DCR with Compass Health, the certified provider of mental health emergency services in Skagit County. **(Resolution No. R20120283)**
8. Resolution to terminate the appointment of Michael Rattray to serve as a Designated Mental Health Professional (DMHP) and Designated Crisis Responder (DCR) effective immediately. Michael Rattray is no longer employed as a DMHP or DCR with Compass Health, the certified provider of mental health emergency services in Skagit County. **(Resolution No. R20120284)**
9. Resolution to terminate the appointment of Malcolm River to serve as a Designated Mental Health

Professional (DMHP) and Designated Crisis Responder (DCR) effective immediately. Malcolm River is no longer employed as a DMHP or DCR with Compass Health, the certified provider of mental health emergency services in Skagit County. **(Resolution No. R20120285)**

10. Resolution to terminate the appointment of Billie Risa Draves to serve as a Designated Mental Health Professional (DMHP) and Designated Crisis Responder (DCR) effective immediately. Billie Risa Draves is no longer employed as a DMHP or DCR with Compass Health, the certified provider of mental health emergency services in Skagit County. **(Resolution No. R20120286)**
11. Resolution to terminate the appointment of Rebecca Griswold to serve as a Designated Mental Health Professional (DMHP) and Designated Crisis Responder (DCR) effective immediately. Rebecca Griswold is no longer employed as a DMHP or DCR with Compass Health, the certified provider of mental health emergency services in Skagit County. **(Resolution No. R20120287)**
12. Resolution authorizing the appointment of members to the Skagit County Treatment Sales Tax Allocation Advisory Committee. **(Resolution No. R20120288)**
13. Amendment No.1 to Personal Services Agreement No. C20120345 with Pioneer Human Services to provide one FTE Case Manager to the staff at the Skagit Treatment Engagement Program (STEP) to provide outreach, engagement, and intensive case management to homeless individuals with mental illness that are not currently engaged in treatment services. The original Agreement commenced on July 1, 2012, and shall continue until September 30, 2013. The purpose of this Amendment is to define reimbursable direct services in Exhibit "C". Compensation remains unchanged at an amount not to exceed \$94,500 and is funded by 0.1% sales tax. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20120112)**
14. Personal Services Agreement with Skagit Recovery Center to provide treatment activities to eligible individuals in the Residential Substance Abuse Treatment (RSAT) program. The Agreement shall commence on October 1, 2012, and continue until September 30, 2013. Compensation shall not exceed \$240,000 and is funded by 0.1% sales tax. **(Contract No. C20120368)**
15. Interlocal Cooperative Agreement with North Sound Mental Health Administration (NSMHA) to provide funds to NSMHA to match a State grant that will provide High Fidelity Wraparound Mental Health Services to children and their families in Skagit County. The Agreement shall commence on the date of execution and continue through June 30, 2013. Compensation shall not exceed \$36,000. **(Contract No. C20120369)**

f) CONSERVATION FUTURES:

16. Resolution to receive the full payment amount as entitled to eligible counties under Public Law - PL 106-393 and the distribution of these project funds for expenditure between projects in accordance with Title II and Title III of PL 106-393; to distribute 8% of the 15% of the projects funds to Title II and 7% of the 15% of the project funds to Title III projects. **(Resolution No. R20120289)**
17. Amendment No. 2 to Personal Services Agreement No. C20100510 with Northwest Real Estate Valuation, LLC, to perform property evaluations, review appraisals, and provide full appraisals for the Farmland Legacy Program, Salmon Recovery Program, and Drainage Utility Projects, and to provide Farmland Legacy Program pricing formula. The Agreement commenced on January 1, 2011, and continues until December 31, 2012. The purpose of this Amendment is to increase compensation by \$15,000 for a new compensation amount not to exceed \$90,000. All other terms and conditions of the original Agreement and subsequent Amendment shall remain in effect. **(Amendment No. A20120113)**

g) HEALTH:

18. Resolution authorizing the waiver of the office visit portion of the Tetanus, Diphtheria, and Pertussis (Tdap) fee due to the current whooping cough epidemic. The resolution shall be effective on the date of execution and expire on December 31, 2012. **(Resolution No. R20120290)**

h) HUMAN RESOURCES:

19. Amendment No. 2 to Personal Services Agreement No. C20110630 with Summit Law Group to provide legal assistance pertaining to labor matters. The original Agreement commenced on December 31, 2011, and shall continue until December 31, 2012. The purpose of this Amendment is to increase compensation by \$47,000 for new compensation amount not exceed \$87,000. All other terms and conditions of the Agreement and subsequent Amendment shall remain in effect. **(Amendment No. A20120114)**

i) PLANNING AND DEVELOPMENT SERVICES:

20. Quit Claim Deed by Gilbertson Land Company, LLC to Skagit County to convey the land transfer on Parcel No. P18117 to authorize it to become part of Parcel P18093 located in Skagit County. There is no monetary consideration being paid. **(Contract No. C20120370)**

21. Interlocal Cooperative Agreement with the City of Burlington to perform tasks associated with Burlington Commercial Core Redevelopment Analysis, Phase 2 of the transfer of development rights project. The Agreement shall commence on the date of execution and continue until December 31, 2014. Compensation to Skagit County shall not exceed \$50,000 and is funded by a grant from the Washington State Department of Commerce. **(Contract No. C20120371)**

j) PUBLIC DEFENDER:

22. Personal Services Agreement with Mari Doerner, Attorney at Law, to provide consultation and representation for mental health and involuntary commitment hearings, and jury trials in conjunction with Dennis Scott, Attorney at Law. The Agreement shall commence on September 1, 2012, and continue until August 31, 2013. Compensation shall not exceed \$35,000. **(Contract No. C20120372)**

23. Personal Services Agreement with Dennis Scott, Attorney at Law, to provide consultation and representation for mental health and involuntary commitment hearings, and jury trials in conjunction with Mari Doerner, Attorney at Law. The Agreement shall commence on September 1, 2012, and continue until August 31, 2013. Compensation shall not exceed \$100,000. **(Contract No. C20120373)**

k) PUBLIC WORKS:

24. Resolution amending Resolution No. R20110259, appointing new members to the Skagit County Marine Resources Committee (MRC) as follows: Rachel Benbrook shall replace Michael Sato as the representative of the People for Puget Sound; Bob Hyde shall replace Connie Thoman as the representative of the Port of Anacortes; Neil Borman has resigned his position as a representative of the science interest group; John "Jay" Lind shall represent the commercial and sport fishing industry; and Lawrence Joseph shall no longer represent the Sauk-Suiattle Tribe. **(Resolution No. R20120291)**

25. Resolution to award the bid and appropriate funds for the Upper Finney Creek Bridge Repair Project #ES40093-1 to Contech Services, Inc., in the amount of \$76,270. The bid opening took place on Monday, August 20, 2012, at 2:30 p.m. in the Commissioners' Hearing Room. **(Resolution No. R20120292)**

26. Resolution to award the bid and appropriate funds for the Run-Off-Road & Intersection Safety Project (Purchase of New Regulatory and Warning Sign Materials Including Delivery) #ESTS11-4, Federal Aid #HSIP-OOOS(275) to Traffic Safety Supply in the amount of \$81,293.64. The bid opening took place on Monday, August 20, 2012, at 2:15 p.m. in the Commissioners' Hearing Room. **(Resolution R20120293)**

27. Resolution to award the bid for Hydraulic Maintenance and Repair Services to Industrial Power Supply, Inc., dba Skagit Hydraulics, in the amount of \$34,500. The bid opening took place on Monday, August 20, 2012, at 2:00 p.m. in the Commissioners' Hearing Room. **(Resolution No. R20120294)**

28. Interlocal Cooperative Agreement with the City of Sedro-Woolley regarding the payment of the maintenance of the portion of Brickyard Creek Corridor that lies outside city limits. The Agreement

shall commence on the date of execution and continue through December 31, 2016. Compensation shall not exceed \$5,000 per year for a total compensation not to exceed \$20,000. **(Contract No. C20120374)**

29. Resolution to call for a public hearing to review comments to the proposed special assessment roll, rates and charges for Skagit County Lake Management District No. 1 for Big Lake. The public hearing is scheduled to take place on Tuesday, September 25, 2012, at 8:30 a.m. in the Commissioners' Hearing Room. **(Resolution No. R20120295)**
30. Temporary Easement with Allan A. Engstrom for a portion Parcel Nos. P43000 and P42961 for Natural Resources Stewardship Program (NRSP) riparian restoration 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 25% funded by the Clean water Fund 120. **(Contract No. C20120375)**

l) SHERIFF:

31. Amendment No. 1 Washington State Patrol (WSP) Contract No. C120300FED, to Interagency Agreement No. C120300GSC with the WSP, Skagit County Contract No. C20110440, for overtime reimbursement for participation with Drug Enforcement Unit in joint operations/task force with Homeland Security Investigations. The purpose of this Amendment is to extend Agreement expiration date from September 30, 2012, to September 30, 2013. The Amendment increases the annual reimbursable rate to Skagit County from \$15,000 to \$30,000. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20120115)**

V. RATIFICATION AGENDA (items 32 through 35):

m) COUNTY CLERK:

32. Resolution authorizing the ratification of a Personal Services Agreement with Alliance One to provide debt collection services for Legal Financial Obligations (LFO's), including but not limited to fines, penalties and fees, in accordance with the scope of work. A signed Agreement was not received prior to commencement date of September 1, 2012. **(Resolution No. R20120296)**
33. Personal Services Agreement with Alliance One to provide debt collection services for Legal Financial Obligations (LFO's), including but not limited to fines, penalties and fees, in accordance with the scope of work. The Agreement commenced on September 1, 2012, and shall continue until August 31, 2014. Alliance One shall be compensated for its services by an add-on fee of 23.5% of the balance assigned. **(Contract No. C20120376)**

n) FACILITIES MANAGEMENT:

34. Resolution authorizing the ratification of a Personal Services Agreement with Voorhis Associates, Inc. to compare Skagit County's incarceration rates to those in Snohomish and Whatcom Counties; explore Skagit County's inmate boarding practices; and interview the cities of Anacortes, Burlington, Mount Vernon, and Sedro-Woolley. A signed Agreement was not executed prior to the commencement of services on August 6, 2012, due to the time it took to finalize the Scope of Work. **(Resolution No. R20120297)**
35. Personal Services Agreement with Voorhis Associates, Inc. to compare Skagit County's incarceration rates to those in Snohomish and Whatcom Counties; explore Skagit County's inmate boarding practices; and interview the cities of Anacortes, Burlington, Mount Vernon, and Sedro-Woolley. The Agreement commenced on August 6, 2012, and shall continue until August 6, 2013. Compensation shall not exceed \$45,000. **(Contract No. C20120377)**

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) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$120,425.95 (Transmittal No. C-104-12); and
- b) Warrants numbered 367753 through 368015 from Clearing Fund 696 in the total dollar amount of \$2,436,823.73 (Transmittal No. C-105-12); and
- c) ACH Transfer Request Form and Certification to Washington Dental Service from Clearing Fund 696 in the total dollar amount of \$57,542.06 (Transmittal No. C-106-12).

VII. ADJOURNMENT:

Chairman Dahlstedt announced that there were no executive sessions scheduled for Tuesday, September 4, 2012, and adjourned the proceedings at 1:31 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