

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, NOVEMBER 19, 2012**

The Skagit County Board of Commissioners met in regular session on Monday, November 19, 2012, with Chairman Kenneth A. Dahlstedt, Commissioner Sharon D. Dillon, and Commissioner Ron Wesen present.

I. CALL TO ORDER:

Chairman Dahlstedt called the proceedings to order at 1:30 p.m.

II. PLEDGE OF ALLEGIANCE:

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

III. AGENDA:

- a) *9:00 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

A motion was made by Commissioner Wesen to approve consent agenda items 1 through 32, ratification items 33 through 52, vouchers and warrants for Monday, November 19, 2012. Commissioner Dillon seconded the motion.

The vote passed unanimously.

- c) *2:00 p.m. - 3:00 p.m. Executive Session (Potential Litigation - RCW 42.30.110(1)(i))
- d) *3:00 p.m. - 4:00 p.m. Executive Session (Potential Litigation - RCW 42.30.110(1)(i))

IV. CONSENT AGENDA (items 1 through 32):

a) COMMISSIONERS:

- 1. Record of the Proceedings for Monday, November 5, 2012. **(Approved)**
- 2. Record of the Proceedings for Tuesday, November 6, 2012. **(Approved)**

b) AUDITOR:

- 3. Personal Services Agreement with The Language Exchange, Inc. to provide interpreter and translation services. The Agreement shall commence on the date of execution, and continue until December 31, 2012. Compensation shall not exceed \$2,500. **(Contract No. C20120459)**

c) BUDGET AND FINANCE:

- 4. Amendment No. 1 to Skagit County Contract No. 05383 with Washington State Community Economic Revitalization Board (CERB Project No. C2000-131PW) which provides aid in financing the cost of, or improvements to, public facilities consisting of road, water, gravity, sewer, storm water system and ponds. This Amendment restructures the loan terms, Article 18. Restrictions on Conversion of Facility to Other Uses, by decreasing the restriction period from 25 years to 11 years. Skagit County shall repay CERB \$509,999.98, the remaining amount on the \$850,000 loan. **(Amendment No. A20120150)**
- 5. Resolution calling for a public hearing to consider the 2013 Skagit County Budget. The public hearing is scheduled to take place on Monday, December 3, 2012, at 10:30 a.m. **(Resolution No. R20120351)**

6. Amendment No. 1 to Interlocal Cooperative Agreement No. C20110495 with the Port of Anacortes. This Amendment changes language in the Scope of Work to upgrade/repair the mooring dolphin, rather than replace it, and extend the term by one year, ending March 19, 2014. The amount of the award is also reduced to \$113,200. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20120151)**
 7. Funding Agreement with the City of Mount Vernon to distribute economic development funds pursuant to RCW 82.14.370. Funds will be used to reimburse the City for the expense of membership in the Economic Development Association of Skagit County. The Agreement commenced on January 1, 2012, pursuant to Resolution No. R20110298, and ends on December 31, 2012. Compensation shall not exceed \$10,000. **(Contract No. C20120460)**
- d) COMMUNITY SERVICES:
8. Personal Services Agreement with Island Hospital to provide mental health services for the Community Wellness Program. The Agreement shall commence on January 1, 2013, and continue until December 31, 2013. Compensation shall not exceed \$10,000. **(Contract No. C20120461)**
 9. Personal Services Agreement with Phoenix Recovery Services for the purpose of providing chemical dependency services to individuals enrolled in Skagit County Family Treatment Court. The Agreement shall commence on January 1, 2013, and continue until December 31, 2013. Compensation shall not exceed \$25,000 and is funded by the .1% sales tax. **(Contract No. C20120462)**
 10. Personal Services Agreement with Mark Lazich to provide mental health services through the Community Wellness Program. The Agreement shall commence on January 1, 2013, and continue until December 31, 2013. Compensation shall not exceed \$10,000. **(Contract No. C20120463)**
 11. Personal Services Agreement with Skagit Recovery Center for the purpose of providing urinalysis testing and mental health services to individuals participating in Skagit County's Adult Felony Drug Court. The Agreement shall commence on January 1, 2013, and continue until December 31, 2013. Compensation shall not exceed \$40,000 and is funded by the .1% sales tax. **(Contract No. C20120464)**
 12. Personal Services Agreement with Linda Seales to provide mental health services through the Community Wellness Program. This Agreement shall commence on January 1, 2013, and shall continue until December 31, 2013. Compensation shall not exceed \$10,000. **(Contract No. C20120465)**
 13. Personal Services Agreement with Sea Mar Community Health to provide mental health services for the Community Wellness Program. This Agreement shall commence on January 1, 2013, and continue until December 31, 2013. Compensation shall not exceed \$25,000. **(Contract No. C20120466)**
 14. Personal Services Agreement with Skagit County Community Action Agency to provide processing of mileage reimbursement requests to Skagit Meals on Wheels volunteers, and provide liability insurance to senior and non-senior volunteers with the Skagit Senior Nutrition Program. The Agreement shall commence on January 1, 2013, and continue until December 31, 2013. Compensation shall not exceed \$11,000. **(Contract No. C20120467)**
 15. Amendment No. 1 to Interagency Agreement No. C20120036 (NSMHA-SKAGIT-ADMIN-12) with North Sound Mental Health Administration to provide funding for the County's Mental Health Program Coordinator to participate in regional North Sound Mental Health Administration related administrative functions in Skagit County. This Amendment clarifies Payment Methodology with Attachment III-A and increases compensation by \$137,050 for Skagit Crisis Center Capital remodel expenditures. Total compensation shall not exceed \$192,214. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20120152)**

e) FACILITY MANAGMENT:

16. Vendor Services Agreement with Electric West, Inc. to install an electric vehicle charging station at 1800 Continental Place, Mount Vernon. The Agreement shall commence on the date of execution and continue until December 20, 2012. Compensation shall not exceed \$5,680.50 and is provided by a grant with Northwest Clean Air Agency. **(Contract No. C20120468)**

f) HEALTH:

17. Amendment No. 5 to Consolidated Contract No. C16899, Skagit County Contract No. C20110594 with the State of Washington Department of Health. The purpose of this Amendment is to add the TB tuberculosis project and amend the Public Health Emergency Preparedness & Response (PHEPR) under the Statement of Work. The original contract commenced on January 1, 2012, and shall expire on December 31, 2014. This Amendment also increases compensation to Skagit County by \$15,000 for a new compensation amount not to exceed \$1,452,013. All other terms and conditions of the original Contract and subsequent Amendments shall remain in effect. **(Amendment No. A20120153)**

g) INFORMATION SERVICES:

18. Personal Services Agreement with Jennifer Messina to assist with the maintenance of the Spillman system. The Agreement shall commence on the date of execution and continue until January 31, 2014. Compensation shall not exceed \$25,000. **(Contract No. C20120469)**
19. Adobe Volume Licensing Cumulative Licensing Program Government Membership Agreement for the ability to renew all Adobe products through discounted prices negotiated by the Washington State Department of Enterprise Services. The Agreement shall commence on December 31, 2012, and continue through December 31, 2014. Compensation shall not exceed \$10,000. **(Contract No. C20120470)**

h) PARKS, RECREATION AND FAIRGROUNDS:

20. Deed of Right to use land for public outdoor recreation purposes with the State of Washington through the Washington State Recreation and Conservation Office for a portion of parcel no. P18117 to become part of parcel no. P18093 for the Centennial Trail. **(Contract No. C20120471)**

i) PUBLIC WORKS:

21. Resolution regarding an Order to establish a portion of Otter Pond Drive (Private Road #06049) and a portion of Larson Lane (Private Road #06029) as County Roads. **(Resolution No. R20120352)**
22. Resolution calling for bids and specifications for the purchase of two (2) new pre-cast concrete box culverts including delivery. The bid opening is scheduled to take place on Monday, December 10, 2012, at 2:00 p.m. or as soon as possible thereafter. **(Resolution No. R20120353)**
23. Resolution rescinding and superseding R20120096 and declaring sole source purchase from Siemens c/o Branom Instruments, Co. for an oxygen analyzer for a landfill gas system at Inman Landfill. **(Resolution No. R20120354)**
24. Resolution concerning a declaration of emergency for the repair of the Guemes Island Ferry Dock. **(Resolution No. R20120355)**
25. Temporary Easement with the Estate of Hattie A. Hillier, via Chad Hillier as Personal Representative, for Parcel No. P35806 for Natural Resource Stewardship Program 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 Ecology Grant No. G0900062, NRSP, Skagit County Grant Funding Agreement No. C20080607, and 25% funded by the Clean Water Fund 120. **(Contract No. C20120472)**

26. Interlocal Cooperative Agreement with the Town of Concrete to establish Skagit County as the Certification Acceptance agency on behalf of the Town concerning the school/airport secondary access street project. The Agreement shall commence on the date of execution and continue until December 31, 2015. The Town of Concrete will reimburse Skagit County for all expenses plus 9% for administrative overhead, an amount not to exceed \$10,900. **(Contract No. C20120473)**
27. Supplemental Agreement No. 1 to Local Agency Standard Consultant Agreement No. C20110336 with TranTech Engineering, LLC for the bridge deck design, structural analysis and construction support services for the Samish River Prairie Road Bridge Deck Repair Project #ES50000-6. This supplement increases compensation by \$6,993 for additional unanticipated professional engineering services. Total compensation shall not exceed \$56,993. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20120154)**
28. Supplemental Agreement No. 1 to Standard Agency Consultant Agreement No. C20100597 with Universal Field Services, Inc. to provide right-of-way, land acquisition, and relocation services for various County projects. This Supplement extends the completion date by one-year, ending November 30, 2013. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20120155)**
29. Vendor Services Agreement with Sound Earth Strategies Construction, LLC for the purchase of approximately 100 pieces of large woody debris for use in storm water and restoration projects. The Agreement shall commence upon the date of execution and continue until October 1, 2013. Compensation shall not exceed \$57,818.83. **(Contract No. C20120474)**

j) SHERIFF:

30. Amendment No. 2 to Interlocal Jail Services Agreement No. C20110291 with Snohomish County for the housing of inmates in the Snohomish County Jail. This Amendment shall commence on January 1, 2013, and increases the compensation rate for housing Skagit County inmates from \$64.38 per day to \$65.94 per day. All other terms and conditions of the original Agreement and subsequent Amendment shall remain in effect. **(Amendment No. A20120156)**
31. Amendment No. 7 to Agreement No. C20060221 with Okanogan County for housing inmates in the Okanogan County Jail. The purpose of this Amendment is to extend the term of the Agreement from December 31, 2012, to December 31, 2013. This Amendment also increases rates to house Skagit County inmates from \$52 per day to \$53.50 per day, effective January 1, 2013. All other terms and conditions of the original Agreement and subsequent Amendments shall remain in effect. **(Amendment No. A20120157)**

k) SUPERIOR COURT:

32. Personal Services Agreement with Northwest Family and Children's Services for the provision of Guardian ad Litem services required for dependency cases filed and heard in Skagit County Superior Court. The Agreement shall commence on January 1, 2013, and continue until December 31, 2013. Compensation shall not exceed \$156,000. **(Contract No. C20120475)**

V. RATIFICATION AGENDA (items 33 through 52):

l) COMMUNITY SERVICES:

33. Resolution authorizing the ratification of an Interlocal Agreement with the La Conner School District to deliver Skagit Youth LYNCS programming to youth (and their families as needed), linking appropriate referrals to services within the community. The School District experienced delays finalizing the Agreement, and it was important to provide continuity of services to youth and their families. **(Resolution No. R20120356)**
34. Interlocal Agreement with the La Conner School District to deliver Skagit Youth LYNCS programming to youth (and their families as needed), linking appropriate referrals to services within the community. The Agreement commenced on September 1, 2012, and

shall continue through August 31, 2013. The School District shall compensate Skagit County an amount not to exceed \$1,660. **(Contract No. C20120476)**

35. Resolution authorizing the ratification of an Interlocal Cooperative Agreement with the La Conner School District to provide for joint funding for a Truancy Intervention Specialist position to serve the school districts and the County Juvenile Court in implementing the truancy portion of the BECCA bill, as outlined in the Revised Code of Washington (RCW) and the Washington Administrative Code (WAC). The School District experienced delays finalizing the Agreement, and it was important to provide continuity of services to youth and their families. **(Resolution No. R20120357)**
36. Interlocal Cooperative Agreement with the La Conner School District to provide for joint funding for a Truancy Intervention Specialist position to serve the school districts and the County Juvenile Court in implementing the truancy portion of the BECCA bill, as outlined in the Revised Code of Washington (RCW) and the Washington Administrative Code (WAC). The Agreement shall commence on September 1, 2012, and continue until August 31, 2013. The La Conner School District shall reimburse Skagit County \$753. **(Contract No. C20120477)**
37. Resolution authorizing the ratification of an Interlocal Agreement with the Concrete School District to deliver Skagit Youth LYNCS programming to youth (and their families as needed), linking appropriate referrals to services within the community. The Agreement was delayed in finalizing due to the School Board's schedule, and it was important to provide continuity of services to youth and families on time. **(Resolution No. R20120358)**
38. Interlocal Agreement with the Concrete School District to deliver Skagit Youth LYNCS programming to youth (and their families as needed), linking appropriate referrals to services within the community. The Agreement commenced on September 1, 2012, and shall continue through August 31, 2013. The School District shall compensate Skagit County an amount not to exceed \$2,125. **(Contract No. C20120478)**
39. Resolution authorizing the ratification of a Vendor Services Agreement with Commercial Plumbing Inc. to provide repair and/or replacement of defective parts in the central and satellite kitchens for the Senior Nutrition Program. Review of contract amendment terms delayed the finalization of the Agreement before its commencement on October 1, 2012. **(Resolution No. R20120359)**
40. Vendor Services Agreement with Commercial Plumbing Inc. to provide repair and/or replacement of defective parts in the central and satellite kitchens for the Senior Nutrition Program. The Agreement commenced on October 1, 2012, and continues until September 30, 2013. Compensation shall not exceed \$2,400. **(Contract No. C20120479)**

m) FACILITY MANAGEMENT:

41. Resolution authorizing the ratification of a Vendor Services Agreement with Absolute Plumbing to provide labor and materials for emergency repairs to the collapsed sewer line at the Skagit County Annex Building located at 605 South 3rd Street in Mount Vernon which serves the Juvenile Detention Center and the Prosecuting Attorney's Offices. The Agreement could not be fully executed in time before the commencement of emergency repair services which took place on October 15, 2012. **(Resolution No. R20120360)**
42. Vendor Services Agreement with Absolute Plumbing to provide labor and materials for emergency repairs to the collapsed sewer line at the Skagit County Annex Building located at 605 South 3rd Street in Mount Vernon which serves the Juvenile Detention Center and the Prosecuting Attorney's Offices. The Agreement commenced on October 15, 2012, and continues for one year. Compensation shall not exceed \$1,979.31. **(Contract No. C20120480)**

n) HEALTH:

43. Resolution authorizing the ratification of an Independent Contractor Agreement with Washington Early Learning Fund d/b/a Thrive by Five Washington to expand Skagit

County's Nurse-Family partnership program to serve an additional 62 families. Skagit County did not receive the Agreement from the Washington Early Learning Fund until after its commencement on October 1, 2012, and it was important to provide uninterrupted services to eligible families. **(Resolution No. R20120361)**

44. Independent Contractor Agreement with Washington Early Learning Fund d/b/a Thrive by Five Washington to expand Skagit County's Nurse-Family partnership program to serve an additional 62 families. This is year one of a three-year federal maternal, infant and early childhood home visiting grant to Washington State. Funds are renewable in subsequent years based on performance and availability. The Agreement commenced on October 1, 2012, and continues until September 30, 2013. Compensation shall not exceed \$376,338. **(Contract No. C20120481)**

o) OFFICE OF JUVENILE COURT:

45. Resolution authorizing the ratification of an Interagency Agreement IAA13082 with the State of Washington Administrative Office of the Courts for BECCA bill funding of programs including Truancy, At Risk Youth (ARY), and Child in Need of Services (CHINS). The Agreement was received after its commencement on July 1, 2012, and it was important to continue to provide these services. **(Resolution No. R20120362)**
46. Interagency Agreement IAA13082 with the State of Washington Administrative Office of the Courts for BECCA bill funding of programs including Truancy, At Risk Youth (ARY), and Child in Need of Services (CHINS). The Agreement commenced on July 1, 2012, and shall continue through June 30, 2013. Compensation to Skagit County shall not exceed \$240,964. **(Contract No. C20120482)**

p) PUBLIC WORKS:

47. Resolution authorizing the ratification of Amendment No. 1 to Interlocal Agreement No. C20110645 with Skagit Conservation District to perform work, on a reimbursable basis, to assist Skagit County in completing certain tasks related to the implementation of agricultural and other best management practices consistent with Skagit County's Critical Areas Ordinance and Clean Water Program in 2012. Unanticipated delays in identifying appropriate parties and best management practices that could be accomplished by Skagit Conservation District during the Fall of 2012 delayed the execution of the Agreement prior to its commencement on October 15, 2012. **(Resolution No. R20120363)**
48. Amendment No. 1 to Interlocal Agreement No. C20110645 with Skagit Conservation District to perform work, on a reimbursable basis, to assist Skagit County in completing certain tasks related to the implementation of agricultural and other best management practices consistent with Skagit County's Critical Areas Ordinance and Clean Water Program in 2012. This Amendment commenced on October 15, 2012, and continues until December 31, 2012. This Amendment increases compensation by \$34,489.95 for the provision of a new task. Total compensation shall not exceed \$277,489.95. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20120158)**
49. Resolution authorizing the ratification of Amendment No. 1 to Personal Services Agreement No. C20120143 with The Watershed Company to adjust the compensation schedule in the contract. The contract is being amended in order to allow for payments for all work performed by The Watershed Company which added positions in April 2012. **(Resolution No. R20120364)**
50. Amendment No. 1 to Personal Services Agreement No. C20120143 with The Watershed Company to adjust the compensation schedule in the contract. The Agreement commenced on April 9, 2012. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20120159)**

q) SUPERIOR COURT:

51. Resolution authorizing the ratification of an Interlocal Cooperative Agreement No. ICA13395 with the State of Washington Administrative Office of the Courts for the purpose of distributing funds for court interpreter expenses to improve the quality and

availability of court interpreter services for Limited English Proficient ("LEP"), deaf, and hard of hearing persons in accordance with chapters 2.42 and 2.43 RCW. Skagit County did not receive the Agreement before its commencement on July 1, 2012, since the Washington Administrative Office of the Courts only recently determined the amount of funding available for reimbursement to Skagit County Superior Court. **(Resolution No. R20120365)**

52. Interlocal Cooperative Agreement No. ICA13395 with the State of Washington Administrative Office of the Courts for the purpose of distributing funds for court interpreter expenses to improve the quality and availability of court interpreter services for Limited English Proficient ("LEP"), deaf, and hard of hearing persons in accordance with chapters 2.42 and 2.43 RCW. The Agreement commenced on July 1, 2012, and shall continue until August 31, 2013. Compensation to Skagit County shall not exceed \$8,434.98. **(Contract No. C20120483)**

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 \$133,633.90 (Transmittal No. C-133-12); and
 - b) Warrants numbered 371512 through 371984 from Clearing Fund 696 in the total dollar amount of \$2,024,710.65 (Transmittal No. C-134-12); and
 - c) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$204,569.92 (Transmittal No. C-135-12); and
 - d) Warrants numbered 371985 through 372375 from Clearing Fund 696 in the total dollar amount of \$4,854,479.22 (Transmittal No. C-136-12); and
 - e) Payroll warrants numbered 306408 through 307133 in the total dollar amount of \$1,201,246.90 (Transmittal No. P-41-12); and
 - f) Junior District Payroll warrants numbered 998872 through 999041 in the total dollar amount of \$262,945.01 (Transmittal No. P-42-12).

VII. **ADJOURNMENT:**

Chairman Dahlstedt adjourned the proceedings at 1:32 p.m. and announced two executive sessions for Tuesday, November 20, 2012. The first session that the Commissioners attended was an executive session from 2:30 p.m. - 2:50 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: Will Honea and Richard Weyrich. Skagit County Parks, Recreation and Fairgrounds Director Brian Adams was also in attendance. The second executive session the Commissioners attended was an executive session from 2:50 p.m. - 3:50 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: Will Honea, Richard Weyrich, and Jill Dvorkin. Planning and Development Services Director Dale Pernula and Water Resources Section Manager Gary Stoyka were also in attendance.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Kenneth A. Dahlstedt, Chairman

Rennett A. Danstedt, Chairman

Sharon D. Dillon, Commissioner

Ron Wesen, Commissioner

ATTEST:

Linda Hammons, Clerk of the Board