

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
MONDAY, DECEMBER 31, 2012**

I. CALL TO ORDER:

Commissioner Wesen called the meeting to order at 1:30 p.m.

Chairman's Dahlstedt's absence was excused.

II. PLEDGE OF ALLEGIANCE:

Commissioner Wesen led the gallery in the salute to the flag.

III. AGENDA:

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

IV. CONSENT AGENDA FOR MONDAY, DECEMBER 31, 2012 (items 1 through 19):

A motion was made by Commissioner Dillon to approve the Consent Agenda items 1 through 19, Ratification Agenda items 20 and 21, vouchers and vouchers for Monday, December 31, 2012. Commissioner Wesen seconded the motion.

The vote passed unanimously. Chairman Kenneth A. Dahlstedt's absence was excused

a) COMMISSIONERS:

- 1. Record of the Proceedings for Wednesday, December 26, 2012. **(Approved)**
- 2. Resolution to reappoint Frank Kendall to a six (6) year term on the Civil Service Commission commencing on January 1, 2013, and expiring on December 31, 2019. **(Resolution No. R20120420)**
- 3. Resolution to reappoint Bud Bowers to a six (6) year term on the Civil Service Commission commencing on January 1, 2013, and expiring on December 31, 2019. **(Resolution No. R20120421)**
- 4. Resolution to reappoint John Rutherford, Dale Regan, Harold Beitler, Lonnie Rash, Rusty Feay, and Marty Coble to a six (6) month term on the Central Valley Ambulance Authority Board. Their terms shall expire on June 30, 2013. **(Resolution No. R20120422)**

b) ASSESSOR:

- 5. Amendment No. 1 to Personal Services Agreement No. C20110456 with The Masters Touch to provide printing and mailing Change of Value notices. The purpose of this Amendment is to correct the original Agreement, which should have indicated that the compensation amount should not exceed \$9,000 per year. This Amendment increases compensation by an additional \$9,000 for a new compensation amount not to exceed \$18,000. All other terms and conditions of the original Agreement shall remain in effect including the termination date of December 31, 2012. **(Amendment No. A20120201)**

c) ASSIGNED COUNSEL:

- 6. Personal Services Agreement with Paula Plumer, Attorney at Law, to provide indigent defense

representation for indigent defendants referred by the office of Assigned Counsel who have been deemed conflict of interest cases for the Skagit County Public Defender's office. The Agreement shall commence on January 1, 2013, and continue until December 31, 2014. Compensation shall not exceed \$75,000. **(Contract No. C20120605)**

7. Personal Services Agreement with Lynn Miner, Attorney at Law, to provide legal defense services to indigent defendants referred by the office of Assigned Counsel who have been deemed conflict of interest cases for the Skagit County Public Defender's office. The Agreement shall commence on January 1, 2013, and continue until December 31, 2014. Compensation shall not exceed \$75,000. **(Contract No. C20120606)**

d) BUDGET AND FINANCE:

8. Resolution to call for a public hearing to amend the 2012 Skagit County Budget. The public hearing is scheduled to take place on Tuesday, January 15, 2013, at 9:30 a.m. in the Commissioners' Hearing Room. **(Resolution No. R20120423)**

e) PARKS, RECREATION AND FAIRGROUNDS:

9. Amendment No. 3 to Personal Services Agreement No. C20110099 with Wizard Enterprises, Inc., dba The Wizard of Ooze to provide delivery, rental, pumping, cleaning and removal of portable chemical toilets (standard unit, event unit and ADA accessible units). The purpose of this Amendment is to reflect contractor's name change from The Wizard of Ooze to United Site Services of Nevada, Inc. All other terms and conditions of the original Agreement and subsequent Amendments, including the expiration date of March 14, 2013, and the compensation amount not to exceed \$43,840 shall remain in effect. **(Amendment No. A20120202)**

f) PLANNING AND DEVELOPMENT SERVICES:

10. Amendment No. 1 to Personal Services Agreement No. C20110515 with Makers Architecture and Urban Design LLP to develop a Planned Unit Development (PUD) ordinance and associated development standards for Bayview Ridge. The purpose of this Amendment is to extend the termination date from December 31, 2012, to December 31, 2013. All other terms and conditions, including the compensation amount not to exceed \$65,110, shall remain in effect. **(Amendment No. A20120203)**
11. Amendment No. 5 to Personal Services Agreement No. C20070527 with Graham-Bunting & Associates for land use planning services including Department of Commerce grant related to the wind power project. The purpose of this Amendment is to extend the termination date from December 31, 2012, to December 31, 2013. All other terms and conditions of the original Agreement and subsequent Amendments, including the compensation amount not to exceed \$35,000, shall remain the in effect. **(Amendment No. A20120204)**

g) PUBLIC WORKS:

12. Amendment C to Public Assistance Grant Agreement No. D09-095, Skagit County Contract No. C20090170, with Washington State Military Department and the Federal Emergency Management Agency for the provision of funds for the repair or restoration of public facilities damaged during the 2008-2009 severe winter storm. The purpose of this Amendment is to extend the expiration date of the Grant from January 29, 2013, to January 29, 2015. All other terms and conditions of the original Grant and subsequent Amendments shall remain in effect. **(Amendment No. A20120205)**
13. Interlocal Cooperative Agreement with the Town of Lyman to perform work, provide materials, and equipment rental for roadway maintenance activities on a reimbursable basis for the Town of Lyman. The Agreement shall commence on the date of execution and continue until December 31, 2017. **(Contract No. C20120607)**

14. Amendment No. 2 to Interlocal Agreement No. C20090547 with the Swinomish Indian Tribal Community to assist the Tribe with monitoring and certifying paperwork for the Swinomish Roundabout Extension project. The purpose of this Amendment is to extend the term of the Agreement from December 31, 2012, to December 31, 2013, or until completion of the project. All other terms and conditions of the original Agreement and subsequent Amendment shall remain in effect. Skagit County will be reimbursed for work performed. **(Amendment No. A20120206)**
15. Personal Services Agreement with Skagit Fisheries Enhancement Group to perform work, on a reimbursable basis, to assist the 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 2013. The Agreement shall commence on January 1, 2013, and continue until December 31, 2013. Compensation shall not exceed \$30,000. **(Contract No. C20120608)**
16. Personal Services Agreement with Guardian Northwest Title & Escrow for the provision of title reports based on County supplied right-of-way plans, parcel numbers, and escrow services for all properties from which rights are to be acquired. The Agreement shall commence on the date of execution and continue until December 31, 2014. Compensation shall not exceed \$25,000. **(Contract No. C20120609)**
17. Personal Services Agreement with Skagit Watershed Council to perform work, on a reimbursable basis, to assist the 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 2013. The Amendment shall commence on January 1, 2013, and continue until December 31, 2013. Compensation shall not exceed \$30,000. **(Contract No. C20120610)**
18. Personal Services Agreement with Western Washington Agricultural Association (WWAA) to perform work on a reimbursable basis to assist the County in completing 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 2013. The Agreement shall commence on January 1, 2013, and continue until December 31, 2013. Compensation shall not exceed \$20,000. **(Contract No. C20120611)**
19. Interlocal Agreement with Skagit County Conservation District (SCD) to perform work on a reimbursable basis to assist the County in completing 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 2013. The Amendment shall commence on January 1, 2013, and continue until December 31, 2013. Compensation shall not exceed \$243,000. **(Contract No. C20120612)**

The Skagit County Board of Commissioners met in regular session on Monday, December 31, 2012, with Commissioners Sharon D. Dillon, and Ron Wesen present.

V. RATIFICATION AGENDA (items 20 and 21):

h) PUBLIC WORKS:

20. Resolution authorizing the ratification of a Personal Services Agreement with Gold Aero to provide flight services as part of the Clean Samish Initiative Pollution Identification and Correction Program. Due to unanticipated delays in establishing an agreement with Gold Aero, Inc. it was necessary to conduct an aerial survey at the onset of fall rains on October 26, 2012, which is prior to an agreement being established. **(Resolution No. R20120424)**
21. Personal Services Agreement with Gold Aero, Inc. to provide flight services as part of the Clean Samish Initiative Pollution Identification and Correction Program. The Agreement commenced on October 26, 2012, and shall continue until December 31, 2013. Compensation shall not exceed \$7,500 and is funded through the Clean Water Program funds. **(Contract No.**

**C20120613)**

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 374602 through 374941 from Clearing Fund 696 in the total dollar amount of \$1,647,672.02 (Transmittal No. C-156-12); and
  - b) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$50,820.39 (Transmittal No. C-157-12).

VII. ADJOURNMENT:

The Commissioners attended an executive session on Wednesday, January 2, 2013, from 11:00 a.m. to 11:40 a.m., the topic 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: Prosecuting Attorney Rich Weyrich, and Chief Civil Deputy Prosecuting Attorney Will Honea. Other Attendees: Sheriff Will Reichardt, Chief Corrections Deputy Charlie Wend, County Administrator Tim Holloran.

The Commissioners attended an executive session on Wednesday, January 2, 2013, from 11:45 a.m. to 12:10 p.m., the topic was Real Estate Sale - RCW 42.30.110(1)(c). (Matters relating to real estate sale or lease where public knowledge would impact price negotiations.) Attendees: Prosecuting Attorney Rich Weyrich, Chief Civil Deputy Prosecuting Attorney Will Honea, Parks, Recreation and Fairgrounds Director Brian Adams, Natural Resource Manager Dan Berentson, and Public Works Director Henry Hash.

Commissioner Wesen adjourned the proceedings at 1:33 p.m.

**BOARD OF COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON**

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Kenneth A. Dahlstedt, Chairman

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Sharon D. Dillon, Commissioner

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Ron Wesen, Commissioner

ATTEST:

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Linda Hammons, Clerk of the Board