

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, MARCH 11, 2013**

The Skagit County Board of Commissioners met in regular session on Monday, March 11, 2013, with Commissioners Sharon D. Dillon, Ron Wesen, and Kenneth A. Dahlstedt present.

I. CALL TO ORDER:

Chair Dillon called the proceedings to order at 2:00 p.m.

II. PLEDGE OF ALLEGIANCE:

Chair Dillon led the gallery in the salute to the flag.

III. AGENDA:

a) *12:00 p.m. - 1:30 p.m. Executive Session (Potential Litigation - RCW 42.30.110(1)(i))

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

A motion was made by Commissioner Wesen to approve consent agenda items 1 through 25, 27 through 36, ratification agenda items 37 through 41, vouchers and warrants for Monday, March 11, 2013. (Item No. 26 was pulled for further discussion) Commissioner Dahlstedt seconded the motion.

The vote passed unanimously.

c) *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 36):

a) COMMISSIONERS:

1. Record of the Proceedings for Tuesday, December 11, 2012. **(Approved)**

2. Record of the Proceedings for Thursday, December 13, 2012. **(Approved)**

3. Record of the Proceedings for Monday, February 25, 2013. **(Approved)**

4. Record of the Proceedings for Tuesday, February 26, 2013. **(Approved)**

5. Resolution of the Skagit County Board of Health calling on the Washington State Legislature to maintain current levels of funding for foundational public health services. **(Resolution No. R20130048)**

6. Resolution calling for bids for Skagit County legal printing for 2013 through 2014. The bid opening is scheduled to take place on Monday, March 25, 2013, at 2:00 p.m. **(Resolution No. R20130049)**

7. Resolution appointing Robert Temples to the Skagit County Planning Commission to serve the remainder of Joseph Prince's term, who subsequently resigned. Robert Temples term will end on September 1, 2013. **(Resolution No. R20130050)**

b) ADMINISTRATIVE SERVICES:

8. Resolution modifying the criteria for the award of Distressed County Economic Development

Public Safety Grants and rescinding Resolution No. R20110195. **(Resolution No. R20130051)**

c) ASSIGNED COUNSEL:

9. Personal Services Agreement with Sue Goolsbee, Attorney at Law, to provide indigent defense representation to defendants referred by the Office of Assigned Counsel who have been deemed conflict of interest for the Skagit County Public Defender's Office. The Agreement shall commence on March 11, 2013, and continue until December 31, 2013. Compensation shall not exceed \$75,000. **(Contract No. C20130087)**

d) BUDGET AND FINANCE:

10. Resolution creating Skagit County's Insurance Cost Assessment Policy for 2012. **(Resolution No. R20130052)**
11. Resolution establishing Skagit County's Annual Cost Assessment Policy for 2012. **(Resolution No. R20130053)**
12. Resolution establishing the 2012 cost allocations to county funds. **(Resolution No. R20130054)**
13. Resolution calling for a public hearing to amend the first quarter 2013 Skagit County budget. The public hearing is scheduled to take place on Tuesday, March 26, 2013, at 9:30 a.m. **(Resolution No. R20130055)**
14. Funding Agreement with the Children's Museum of Skagit County to award \$3,000 in Lodging Tax funds to support marketing and advertising for special events, as authorized by Resolution No. R20120373. The Agreement commenced on January 1, 2013, and shall continue until December 31, 2013. **(Contract No. C20130088)**
15. Funding Agreement with Skagit Speedway to award \$5,000 in Lodging Tax funds to support marketing and advertising for events, as authorized by Resolution No. R20120373. The Agreement commenced on January 1, 2013, and shall continue until December 31, 2013. **(Contract No. C20130089)**

e) COMMUNITY SERVICES:

16. Resolution calling for a public hearing to consider testimony regarding the application for public service grant component of the Community Development Block Grant. The public hearing is scheduled to take place on Tuesday, March 26, 2013, at 10:30 a.m. **(Resolution No. R20130056)**

f) FACILITIES MANAGEMENT:

17. Resolution awarding the bid for the Skagit County Crisis Center addition and remodel to Anderson Buildings in the amount of \$242,900. The bid opening took place on Monday, February 11, 2013. **(Resolution No. R20130057)**

g) INFORMATION SERVICES:

18. Personal Services Agreement with Structured Communication Systems, Inc. to design and update Skagit County's current Citrix environment to version 6.5. The Agreement shall commence on March 11, 2013, and continue until December 31, 2013. Compensation shall not exceed \$16,000. **(Contract No. C20130090)**
19. Amendment No. 1 to Interlocal Public Safety Technology Service Agreement No. C20130077 with the Swinomish Indian Tribal Community (Agency) to provide access to Public Safety

Services which includes information derived from the Spillman Public Safety System. This Amendment increases compensation by \$35,000 in order to install the Spillman Mobile Software in Agency law enforcement vehicles. This Amendment shall commence on March 11, 2013, and continue until January 1, 2014. Total compensation to Skagit County shall not exceed \$62,000. **(Amendment No. A20130019)**

20. Purchase Reimbursement Agreement No. PRA13002 with the Washington State Administrative Office of the Courts (AOC), AOC Information Technology Primary Purchase Agreement (ITPPA) No. IAA05938 and the Clerk of the Superior Court for the replacement of four (4) desktop computers and four (4) monitors. The Agreement shall commence on the date of execution and shall continue until March 28, 2013. AOC will reimburse Skagit County up to \$700 for each desktop computer and \$200 for each monitor, or the actual costs, whichever is lower. The actual cost shall include any tax and shipping costs incurred by Skagit County. **(Contract No. C20130091)**

h) PROSECUTING ATTORNEY:

21. Amendment No. 1 to Personal Services Agreement No. C20120315 with Sue Fox-Golombek, doing business as Express Legal Transcription to provide services to transcribe digital recordings of victim and witness interviews and to provide the transcripts for use in criminal cases. This Amendment increases compensation by \$2,000 in order to continue utilizing services in connection with complex felony cases going to trial. The term of the Agreement remains the same, ending December 31, 2013. Total compensation shall not exceed \$4,500. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20130020)**
22. Resolution providing legal defense to Jackie Brunson, Charles Wend, Susan Cook, John Meyer, Michael Rickert, Keith Tyne, Lana Reichert, Elizabeth Murphy, Mavis Betz, Juanita O'Neill, Thomas Seguine, and Erik Pedersen in a lawsuit initiated by Terrance Jon Irby. **(Resolution No. R20130058)**

i) PUBLIC WORKS:

23. Resolution authorizing the adoption of new County Road Projects (CRP) to consider for the Annual 2013 Construction Program including: Davis Slough Bridge on South Skagit Highway (construction), Dodge Valley Road (guardrail), and Finney Creek Road (stabilization). **(Resolution No. R20130059)**
24. Resolution regarding the declaration of a sole source provider for the services provided by Emissions Technology, Incorporated for the installation of the Ultra Burn Combustion Catalyst System on the Guemes Island Ferry Engines. **(Resolution No. R20130060)**
25. Resolution awarding the bid for the Temporary Passenger-Only Ferry Service between Anacortes and Guemes Island to Arrow Launch Service, Inc. in an amount not to exceed \$93,000. The bid opening took place on Monday, February 25, 2013. **(Resolution No. R20130061)**
26. Resolution awarding the bid for One New Latest Model Roll Off Truck to TEC Equipment, Inc. in the amount of \$187,185. The bid opening took place on Monday, February 25, 2013. **(Item pulled for further discussion)**
27. Resolution authorizing a call for bids for Scale Calibration, Maintenance, and Repair. The bid opening is scheduled to take place Monday, April 8, 2013 at 2:00 p.m. or as soon as possible thereafter. **(Resolution No. R20130062)**
28. Use and Reimbursement Agreement with Sierra Pacific Industries regarding the scheduled repayment of funds and the use of (and proposed vacation of) a portion of McFarland Road No. 30900. **(Contract No. C20130092)**

29. Resolution calling for a public hearing regarding the consideration of vacating a portion of County right-of-way easement on McFarland Road, No.30900. The public hearing is scheduled to take place on Tuesday, April 9, 2013 at 8:30 a.m. or as soon as possible thereafter. **(Resolution No. R20130063)**
30. Vendor Services Agreement with Birch Equipment Co. Inc. to provide equipment rental for various projects with expected annual expenditures to exceed \$25,000. The Agreement shall commence on the date of execution and continue through March 31, 2014. Compensation shall not exceed \$50,000. **(Contract No. C20130093)**
31. Vendor Services Agreement with Van's Equipment Co. to provide equipment rental for various projects with expected annual expenditures to exceed \$25,000. The Agreement shall commence on the date of execution and continue through March 31, 2014. Compensation shall not exceed \$200,000. **(Contract No. C20130094)**
32. Interlocal Cooperative Agreement with the Town of Hamilton to perform work, provide materials, and equipment rental for roadway maintenance activities on a reimbursable basis for the Town of Hamilton. The Agreement shall commence on the date of execution and continue until December 31, 2017. **(Contract No. C20130095)**
33. Vendor Services Agreement with Xylem Dewatering Solutions Inc. dba Godwin Pumps of America to provide equipment rental for various projects with expected annual expenditures to exceed \$25,000. The Agreement shall commence on the date of execution and continue through March 31, 2014. Compensation shall not exceed \$50,000. **(Contract No. C20130096)**
34. Vendor Services Agreement with United Rentals (North America) Inc. to provide equipment rental for various projects with expected annual expenditures to exceed \$25,000. The Agreement shall commence on the date of execution and continue through March 31, 2014. Compensation shall not exceed \$50,000. **(Contract No. C20130097)**
35. Personal Services Agreement with Parametrix, Inc. to provide technical expertise for development of a gas management plan at Gibraltar Landfill, for the operation of the landfill gas extraction system at Inman Landfill, and other landfill engineering tasks as assigned by the County. The Agreement shall commence on the date of execution and continue until January 31, 2015. Compensation shall not exceed \$25,000. **(Contract No. C20130098)**

j) SHERIFF:

36. Resolution amending Resolution No. R20090506 to increase the monetary amount of change fund for cash transactions in the Skagit County Sheriff's Office from \$400 to \$600. **(Resolution No. R20130064)**

V. RATIFICATION AGENDA (items 37 through 41):

k) HEALTH:

37. Resolution authorizing the ratification of a Personal Services Agreement with Community Action of Skagit County to provide nutrition services and consultation for the Special Supplement Nutrition Program for Women, Infants and Children (WIC) and Maternity Support Services/Nurse-Family Partnership, monitoring hours to stay within the compensation limit. Review of contract terms delayed the finalization of the Agreement before its commencement, and Skagit County and Community Action of Skagit County did not want to deny services for eligible Skagit County residents. **(Resolution No. R20130065)**
38. Personal Services Agreement with Community Action of Skagit County to provide nutrition services and consultation for the Special Supplement Nutrition Program for Women, Infants and Children (WIC) and Maternity Support Services/Nurse-Family Partnership, monitoring hours to stay within the compensation limit. The Agreement commenced on January 1, 2013, and shall continue until December 31, 2013. Compensation shall not exceed \$21,600.

(Contract No. C20130099)

l) PUBLIC DEFENDER:

39. Resolution authorizing the ratification of Personal Services Agreement No. C20130053 with Todd Schwiesow, dba Quantum Investigations and Security. The Agreement, executed February 11, 2013, needs to be ratified to commence on January 1, 2013, in order to cover the period of time that the contractor began providing services. **(Resolution No. R20130066)**
40. Resolution authorizing the ratification of a Personal Services Agreement with Jennifer C. Schroeder to provide court transcription services for the Public Defender. The Contractor began providing services the first of the year and the contract needs to be ratified accordingly. **(Resolution No. R20130067)**
41. Personal Services Agreement with Jennifer C. Schroeder to provide court transcription services for the Public Defender. The Agreement commenced on January 1, 2013, and continues until December 31, 2013. Compensation shall not exceed \$5,000. **(Contract No. C20130100)**

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 \$109,308.51 (Transmittal No. C-28-13); and
 - b) Warrants numbered 378266 through 378576 from Clearing Fund 696 in the total dollar amount of \$1,614,998.07 (Transmittal No. C-29-13); and
 - c) ACH Transfer Request Form and Certification to Washington Dental Service from Clearing Fund 696 in the total dollar amount of \$66,221.80 (Transmittal No. C-30-13); and
 - d) Warrants numbered 378577 through 378577 from Clearing Fund 696 in the total dollar amount of \$26,500.00 (Transmittal No. C-31-13); and
 - e) Warrants numbered 378578 through 379189 from Clearing Fund 696 in the total dollar amount of \$2,479,623.32 (Transmittal No. C-32-13); and
 - f) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$235,869.16 (Transmittal No. C-33-13); and
 - g) Payroll warrants numbered 311992 through 312684 in the total dollar amount of \$1,048,909.97 (Transmittal No. P-09-12); and
 - h) Junior District Payroll warrants numbered 800335 through 800521 in the total dollar amount of \$230,451.12 (Transmittal No. P-10-13).

VII. MISCELLANEOUS:

26. Resolution awarding the bid for One New Latest Model Roll Off Truck to TEC Equipment, Inc. in the amount of \$187,185. The bid opening took place on Monday, February 25, 2013.

Tim Dacres, Manager of Motor Trucks, Inc., was present to find out why the Commissioners did not take into account awarding the bid to a local company which would benefit all of Skagit County. The Commissioners and staff from Public Works

discussed the bidding process and the reasons for bringing forward a bid award to an out-of-county business.

A motion was made by Commissioner Dahlstedt to approve consent agenda item No. 26, Resolution awarding the bid for one new latest model roll off truck to TEC Equipment, Inc. in the amount of \$187,185. **(Resolution No. R20130068)** Commissioner Wesen seconded the motion.

The vote passed unanimously.

VIII. ADJOURNMENT:

Chair Dillon adjourned the proceedings and announced an executive session on Monday, March 11, 2013. The Commissioners attended the executive session from 12:04 p.m. - 1:09 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: Rich Weyrich and Will Honea. Skagit County Administrator Tim Holloran, Sheriff Will Reichardt, Superior Court Judge Michael Rickert, and Chief of Corrections Charlie Wend were also in attendance.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Sharon D. Dillon, Chair

Ron Wesen, Commissioner

Kenneth A. Dahlstedt, Commissioner

ATTEST:

Clerk of the Board