

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
TUESDAY, JULY 23, 2013**

The Skagit County Board of Commissioners met in regular session on Tuesday, July 23, 2013, with Commissioners Kenneth A. Dahlstedt, Sharon D. Dillon, and Ron Wesen present.

I. CALL TO ORDER:

Chair Dillon called the proceedings to order at 1:30 p.m.

II. PLEDGE OF ALLEGIANCE:

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

III. AGENDA:

- a) 1:30 p.m. - 1:45 p.m. Consent Agenda, Vouchers, Warrants and Miscellaneous Items
- b) 1:45 p.m. - 2:00 p.m. Board of County Commissioners:

Chair Dillon reconvened the proceedings at 1:45 p.m.

- 1. Discussion/Possible Action: Jail Facility Use Agreement by and between Skagit County and the Cities of Sedro-Woolley, Anacortes, Mount Vernon, and Burlington

County Administrator Tim Holloran stated that this was a monumental day for Skagit County because the Cities and County had worked together collaboratively over several months of meetings to negotiate the terms of the Agreement. He indicated that the Agreement was essentially a revenue-sharing agreement. Mr. Holloran explained that creating and building a jail facility was expensive and that the public resources would be used to build a safe environment for the staff as well as the inmates. The Board of County Commissioners were presented with the Jail Facility Use Agreement which had been approved and signed by the Councils of the Cities of Anacortes, Burlington, Mount Vernon and Sedro-Woolley.

Chief Civil Deputy Prosecuting Attorney Will Honea spoke about the negotiation process that took place during a series of meetings with several City Attorneys, County staff and financial advisers. He said that if Proposition 1 was approved by the voters, there would a lot of decisions that need to be made as the process moves forward. He indicated that a Finance Committee had been created that was tasked evaluating future jail population fluctuations and revenue-sharing between the Cities and the County.

Commissioner Dahlstedt thanked the City Council Councils for their unanimous vote in support for the Jail Use Agreement. Commissioner Wesen thanked all of the County staff for their hard work in working through the negotiation process.

Commissioner Dillon commended the community partners for all their hard work and dedication working through the jail project.

There was a discussion about using the current jail to house other County departments, such as Information Services and Records Management once the new facility has been built.

Mr. Honea and Mr. Holloran commented on the two sites that were being considered for the potential location of the new jail and the public land use process that would take place before a site could be selected.

A motion was made by Commissioner Dahlstedt to approve the Jail Facility Use Agreement by and between Skagit County and the Cities of Sedro-Woolley, Anacortes,

Mount Vernon, and Burlington, pursuant to RCW Chapters 70.48 and 39.34. (**Contract No. C20130315**) Commissioner Wesen seconded the motion.
The vote passed unanimously.

Chair Dillon recessed the proceedings at 2:01 p.m.

- c) 2:15 p.m. - 2:30 p.m. Update: Skagit River Bridge Repair - Washington State Department of Transportation Assistant Regional Administrator Jay Drye

Chair Dillon reconvened the proceedings at 2:15 p.m.

Assistant Project Engineer Polly Brooks and Traffic Engineer Dina Swires of Washington State Department of Transportation (WSDOT) announced that WSDOT had recently received additional funding from the federal government to provide additional upgrades to the I-5 Bridge. It was announced that the I-5 Bridge was the lowest steel structure in Washington State and because of the recently received funding, there was an opportunity to increase the clearance of the bridge by approximately four (4) feet to eighteen (18) feet. The work will begin after the temporary span has been replaced with a permanent span, which will begin after September 7, 2013, proposed closures were announced.

Commissioner Wesen thanked WSDOT for the presentation and for working cooperatively with the community to keep everyone informed.

Chair Dillon adjourned the proceedings 2:28 p.m.

- d) *2:45 p.m. - 3:45 p.m. Executive Session (Real Estate Acquisition - RCW 42.30.110(1) (b))

Commissioners Sharon D. Dillon, Ron Wesen, and Kenneth A Dahlstedt attended an executive session on Tuesday, July 23, 2013, from 2:48 p.m. to 3:42. The topic was Real Estate Acquisition - RCW 42.30.110(1) (b) Attendees: County Administrator Tim Holloran, Deputy Civil Prosecuting Attorney Steve Fallquist, Chief Deputy Civil Prosecuting Attorney Will Honea, Natural Resources Manager Dan Berentson, and Watershed Planner Kara Symonds.

IV. CONSENT AGENDA FOR TUESDAY, JULY 23, 2013 (items 1 through 9):

A motion was made by Commissioner Wesen to approve the Consent Agenda items 1 through 9, Ratification Agenda items 10 through 27, vouchers and warrants for Tuesday, July 23, 2013. Commissioner Dahlstedt seconded the motion.
The vote passed unanimously.

a) COMMISSIONERS:

1. Record of the Proceedings for Monday, July 15, 2013. (**Approved**)
2. Record of the Proceedings for Tuesday, July 16, 2013. (**Approved**)

b) COMMUNITY SERVICES:

3. Amendment No. 1 to Personal Services Agreement No. C20120544 with Phoenix Recovery Services to provide urinalysis (UA) testing to Mental Health Court participants. The purpose of this Amendment is to expand the Scope of Work, Exhibit "B", to include faxing UA results to Compass Health and Skagit County, a variety of case management services, and participation in contract monitoring. The original Agreement commenced on January 1, 2013, and shall continue until December 31, 2013. This Amendment increases compensation by \$22,000 for a new compensation amount not to exceed \$52,000 and funded is by the .1% sales tax. All other terms and conditions of the original Agreement shall remain in effect. (**Amendment No. A20130091**)

c) HEALTH:

4. Amendment No. 9 to Skagit County Contract No. C20110594 with Washington State Department of Health Consolidated Contract No. C 16899. The purpose of this Amendment is to add Statement of Work for the Recreational Shellfish Activities program, amend the Statement of Work for the Maternal and Child Health Block Grant, Office of Drinking Water Group "A" Spatial Dataset, Office of Immunization and Child Profile, Immunization Information System (IIS), and Women, Infants and Children (WIC) Nutrition Program. The original Grant commenced on January 1, 2011, and shall continue until December 31, 2014. This Amendment increases compensation to Skagit County by \$58,953 for a new compensation amount not to exceed \$1,995,446. All other terms and conditions of the original Agreement and subsequent Amendments shall remain in effect. **(Amendment No. A20130092)**

d) INFORMATION SERVICES:

5. Personal Services Agreement with CDW Government LLC to provide professional services to assist with designing and implementing a replacement system for the County network firewall with a pair of Cisco Adaptive Security Appliances. The Agreement shall commence on the date of execution and continue until December 31, 2013. Compensation including tax shall not exceed \$15,000. **(Contract No. C20130305)**

e) PLANNING AND DEVELOPMENT SERVICES:

6. Amendment No. 2 to Skagit County Contract No. C20100251 with the Washington State Revolving Fund Loan Agreement No. L1000035, with the State of Washington Department of Ecology to provide low-interest loans to Skagit County property owners for the repair of failing on-site septic systems or for connection to existing sewage utility lines. The purpose of this Amendment is to include the State's approved budget language for Suspension of Performance and Resumption of Performance. The original Agreement commenced on May 24, 2010, and shall continue until December 31, 2014. All other terms and conditions of the original Agreement and subsequent Amendment shall remain in effect. **(Amendment No. A20130093)**
7. Amendment No. 1 to Skagit County Contract No. C20110207 with the Washington State Revolving Fund Loan Agreement No. L1100016 and L11S0016 for the county-wide repair of failing on-site septic systems and water quality on-site education. The purpose of this Amendment is to include the State's approved budget language for Suspension of Performance and Resumption of Performance. The original Agreement commenced on May 24, 2010, and shall continue until June 30, 2014. All other terms and conditions of the original Agreement and subsequent Amendment shall remain in effect. **(Amendment No. A20130094)**

f) PUBLIC WORKS:

8. Resolution regarding the approval of maps, plans, and specifications and call for bids for the Pioneer Highway/Fir Island Road Intersection Project; Schedules A & B - Roundabout, Skagit County Project #ES80090-4, Federal Aid #(To Be Determined), and Schedule C - Water Line, Skagit County Project #ES97-79, PUD Project #WO13-03439 (Date and Time of Bid Opening to be Determined and Announced at a Later Date.) **(Resolution No. R20130192)**
9. Amendment No. 1 to Skagit County Contract No. C20120431, 2012 Statewide Stormwater Grant Agreement No. G1200542 with the State of Washington Department of Ecology for the Skagit County Vactor Waste Facility. The purpose of this Amendment is to include the State's approved budget language for Suspension of Performance and Resumption of Performance. The original Agreement commenced on May 1, 2012, and shall continue until December 30, 2013. All other terms and conditions of the original Agreement shall remain in effect, including the Department of Ecology compensating Skagit County 75% (\$116,504) of the total costs of the project, and Skagit County's share of the project being 25% (\$38,834) for a total compensation amount not to exceed \$155,338. **(Amendment No. A20130095)**

V. RATIFICATION AGENDA (items 10 through 27):

g) ADMINISTRATIVE SERVICES:

10. Resolution authorizing the ratification of an Interlocal Cooperative Agreement with the City of Mount Vernon to reimburse the City for professional service fees charged by two consultants for work related to the County jail site Comprehensive Plan and associated rezone. Finalization of the Agreement prior to the commencement date was delayed because Skagit County did not want to delay the City of Mount Vernon's Comprehensive Plan and rezone process while finalizing and executing the Agreement. **(Resolution No. R20130193)**
11. Interlocal Cooperative Agreement with the City of Mount Vernon to reimburse the City for professional service fees charged by two consultants for work related to the County jail site Comprehensive Plan and associated rezone. The Agreement commenced on June 30, 2013, and shall continue until December 31, 2015. Compensation shall not exceed \$200,000. **(Contract No. C20130306)**

h) COMMUNITY SERVICES:

12. Resolution authorizing the ratification of a Personal Services Agreement with Rehabco to provide Pathways to Employment and Community Access services to eligible individuals with development disabilities. Review of the contract terms delayed the finalization of the Agreement and it was important to continue to provide these necessary services. **(Resolution No. R20130194)**
13. Personal Services Agreement with Rehabco to provide Pathways to Employment and Community Access services to eligible individuals with development disabilities. The Agreement commenced on July 1, 2013, and shall continue until June 30, 2014. Compensation shall not exceed \$75,000. **(Contract No. C20130307)**
14. Resolution authorizing the ratification of County Program Agreement No. 1363-78296 with the Washington State Department of Social and Health Services (DSHS) Aging and Disability Services Administration, Division of Developmental Disabilities to provide a coordinated and comprehensive state and local program of services for persons with developmental disabilities. **(Resolution No. R20130195)**
15. County Program Agreement No. 1363-78296 with the Washington State Department of Social and Health Services (DSHS) Aging and Disability Services Administration, Division of Developmental Disabilities to provide a coordinated and comprehensive state and local program of services for persons with developmental disabilities. The Agreement commenced on July 1, 2013, and shall continue until June 30, 2014. Compensation to Skagit County shall not exceed \$1,460,853. **(Contract No. C20130308)**

i) HEALTH:

16. Resolution authorizing the ratification of an Interagency Agreement (IAA) with the State of Washington, Department of Ecology to provide funding to hire a Local Source Control Specialist to provide technical assistance and education outreach to small business in an effort to prevent pollution of the urban waters of the State. Review of the contract terms delayed the finalization of the Agreement. **(Resolution No. R20130196)**
17. Interagency Agreement (IAA) with the State of Washington, Department of Ecology to provide funding to hire a Local Source Control Specialist to provide technical assistance and education outreach to small business in an effort to prevent pollution of the urban waters of the State. The Agreement commenced on July 1, 2013, and shall continue until June 30, 2015. Compensation to Skagit County shall not exceed \$181,720. **(Contract No. C20130309)**

j) OFFICE OF JUVENILE COURT:

18. Resolution authorizing the ratification of County Program Agreement No. 1363-79615 with Washington State Department of Social and Health Services (DSHS) to provide funding to support Block Grant Programs for juvenile offenders. The Contract was not received in time to be fully executed prior to the start date of July 1, 2013. **(Resolution No. R20130197)**
 19. County Program Agreement No. 1363-79615 with Washington State Department of Social and Health Services (DSHS) to provide funding to support Block Grant Programs for juvenile offenders. The Agreement commenced on July 1, 2013, and shall continue until June 30, 2015. Compensation to Skagit County shall not exceed \$192,597. **(Contract No. C20130310)**
- k) PROSECUTING ATTORNEY:
20. Resolution authorizing the ratification of a Personal Services Agreement with Bayside Pathology, Inc. to provide expert witness examination, records review and testimony in criminal cases of State of Washington vs. Larry Paul Williams and the State of Washington vs. Carri Darlene Williams. The Agreement was not executed prior to the commencement of services due to the uncertain timing involved in the exhumation and forensic examination of the deceased child in these matters. **(Resolution No. R20130198)**
 21. Personal Services Agreement with Bayside Pathology, Inc. to provide expert witness medical examiner services, records review and testimony in criminal cases of State of Washington vs. Larry Paul Williams and the State of Washington vs. Carri Darlene Williams. The Agreement commenced on June 20, 2013, and shall continue until December 31, 2013. Compensation shall not exceed \$5,000. **(Contract No. C20130311)**
- l) PUBLIC DEFENDER:
22. Resolution authorizing the ratification of a Personal Services Agreement with Geoffrey W. McCann, Attorney at Law, to provide consultation and representation for up to thirty-five (35) District Court cases per month. A signed contract was not processed prior to the commencement of services on June 30, 2013. **(Resolution No. R20130199)**
 23. Personal Services Agreement with Geoffrey W. McCann, Attorney at Law, to provide consultation and representation for up to thirty-five (35) District Court cases per month. The Agreement commenced on July 1, 2013, and shall continue until June 30, 2014. Compensation shall not exceed \$48,000. **(Contract No. C20130312)**
- m) SHERIFF:
24. Resolution authorizing the ratification of a Patient Specimen Collection Services Agreement with Laboratory Corporation of America to provide services in connection with specimen collection at the Skagit County Jail. Finalization of the Agreement was delayed due to the previous Agreement being signed improperly by the Jail Nurse. **(Resolution No. R20130200)**
 25. Patient Specimen Collection Services Agreement with Laboratory Corporation of America to provide services in connection with specimen collection at the Skagit County Jail. The Agreement commenced on December 18, 2012, and shall continue until December 17, 2013, and shall be automatically renewed for an additional one (1) year at the end of each one (1) year period. Laboratory Corporation of America will bill the patient or responsible party, including Medicare, Medicaid and insurance companies, for services performed under this Agreement. **(Contract No. C20130313)**
 26. Resolution authorizing the ratification of Interagency Agreement No. C130913FED with the Washington State Patrol (WSP) to support a federal grant for domestic cannabis eradication/suppression. Finalization of the Interagency Agreement was delayed because a signed Agreement was only recently received from WSP after they were able to determine the amount of funding to be allocated. **(Resolution No. R20130201)**

27. Interagency Agreement No. C130913FED with the Washington State Patrol (WSP) to support a federal grant for domestic cannabis eradication/suppression. The Agreement commenced on January 1, 2013, and shall continue until December 31, 2013. Compensation to Skagit County shall not exceed \$25,000. **(Contract No. C20130314)**

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 \$85,856.16 (Transmittal No. C-93-13); and
 - b) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$67,164.82 (Transmittal No. C-94-13); and
 - c) Warrants numbered 386354 through 386728 from Clearing Fund 696 in the total dollar amount of \$1,560,573.98 (Transmittal No. C-95-13).

VII. ADJOURNMENT:

Chair Dillon adjourned the proceedings at 2:40 p.m.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Sharon D. Dillon, Chair

Ron Wesen, Commissioner

Kenneth A. Dahlstedt, Commissioner

ATTEST:

Clerk of the Board