

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, MARCH 17, 2014**

The Skagit County Board of Commissioners met in regular session on Monday, March 17, 2014, with Chair Ron Wesen, Commissioner Kenneth A. Dahlstedt, and Commissioner Sharon D. Dillon present.

I. CALL TO ORDER:

Chair Wesen called the proceedings to order at 1:31 p.m.

II. PLEDGE OF ALLEGIANCE:

Chair Wesen 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
- c) *2:00 p.m. - 3:00 p.m. Executive Session (Real Estate Acquisition RCW 42.30.110(1)(b))

Chair Ron Wesen, Commissioner Ken Dahlstedt, and Commissioner Sharon Dillon attended an executive session on Monday, March 17, 2014, from 2:07 p.m. to 3:14 p.m. The topic was Real Estate Acquisition - RCW 42.30.110(1) (b). (Matters relating to real estate acquisition or lease where public knowledge would cause a likelihood of increased price.). Other attendees: County Administrator Tim Holloran, and Budget and Finance Director Trisha Logue. No action was taken during the executive session.

- d) *3:00 p.m. - 4:00 p.m. Executive Session (None Scheduled as of the Date of this Notice)

IV. CONSENT AGENDA FOR MONDAY, MARCH 17, 2014 (items 1 through 20):

A motion was made by Commissioner Dillon to approve the Consent Agenda items 1 through 20, Ratification Agenda 21 through 36, vouchers and warrants for Monday, March 17, 2014. Commissioner Dahlstedt seconded the motion.

The vote passed unanimously.

a) COMMISSIONERS:

- 1. Record of the Proceedings for Monday, March 10, 2014. **(Approved)**
- 2. Record of the Proceedings for Tuesday, March 11, 2014. **(Approved)**
- 3. Resolution to reappoint Mark Lione and Duane Clark to the Skagit County Ferry Advisory Committee for Washington State to a staggered four (4) year term. Mr. Lione's term expires on December 31, 2014, and Mr. Clark's expires on July 31, 2016. Appointment of Stephanie Hamilton to a four (4) year term expiring on May 20, 2015, and Jim English shall be appointed as Chairperson. Mr. English's term expires on March 10, 2018. **(Resolution No. R20140074)**

b) BUDGET AND FINANCE:

- 4. Funding Agreement with the La Conner Quilt & Textile Museum, which awards \$1,500 of Lodging Tax funds to support the La Conner Quilt & Textile Museum's 2014 Quilt & Fiber Arts Festival: An International Juried & Judge Show. The Agreement commenced on January 1, 2014, as authorized by Resolution No. R20130361, and shall continue until December 31, 2014. **(Contract No. C20140105)**

c) COMMUNITY SERVICES:

5. Interlocal Cooperative Agreement with the City of Mount Vernon to provide funding to cover the expenses of Sergeant Mike Don of the Mount Vernon Police Department related to his attendance at the 2014 National Drug Court Conference in Anaheim, California. The Agreement shall commence on the date of execution and continue through July 1, 2014. The County shall reimburse the City for actual expenses in an amount not to exceed \$2,500. **(Contract No. C20140106)**
6. Amendment No. 2 to Personal Services Agreement No. C20130479 with Community Action of Skagit County to pay rental assistance vouchers issued by Compass Health Skagit for enrolled Program for Assertive Community Treatment (PACT) clients. The purpose of this Amendment is to replace Exhibit "B" Compensation with a revised Compensation plan. The original Agreement commenced on December 2, 2013, and the termination date remains as December 31, 2014. All other terms and conditions of the original Agreement and subsequent Amendment including the compensation amount not to exceed \$48,000 which is funded by the .1% sales tax shall remain in effect. **(Amendment No. A20140023)**
7. Resolution authorizing the submission of an application to the Washington State Department of Commerce to request \$55,174 of 2013 Community Development Block Grant (CDGB) funds to provide community services via Community Action Agency of Skagit County. **(Resolution No. R20140075)**

d) CONSERVATION FUTURES:

8. Amendment No. 1 to Grant Deed of Conservation Easement, Skagit County Auditor No. 200706200013, (Skagit County Contract No. C20070308) with Dick and Olga Vanderkooy to retire one development right on 25.34 acres on Summers Drive. After executing the Conservation Easement, Grantor Vanderkooy adjusted the boundary of the underlying parcel with neighboring parcel owned by Kuipers. The purpose of this Amendment is to amend the original Conservation Easement to remove the language requiring extension of the easement onto "new land gained through a boundary line adjustment" to resolve the ambiguity for future use of the property under the terms of the Conservation Easement. All other terms and conditions of the original Conservation Easement shall remain in effect. **(Amendment No. A20140024)**

e) FACILITIES MANAGEMENT:

9. Vendor Services Agreement with Culligan Northwest to provide thirteen (13) water dispensers and weekly bottled water delivery at the Skagit County Courthouse Complex. The Agreement shall commence on April 1, 2014, and continue until March 31, 2016, with the option to renew for one (1) year. Compensation shall not exceed \$9,600. **(Contract No. C20140107)**

f) PARKS, RECREATION, AND FAIRGROUNDS:

10. Vendor Services Agreement with Lil John Sanitary Services, Inc. to provide annual inspection and subsequent pumping of up to seven (7) septic systems in up to three (3) park locations in Skagit County, as mandated by the Skagit County Health Department. The Agreement shall commence upon the date of execution and shall continue for one (1) year with the option of an extension period not to exceed three (3) years. Compensation shall not exceed \$4,000. **(Contract No. C20140108)**

g) PROSECUTING ATTORNEY:

11. Protected Critical Area (PCA) site plan provided by Skagit County as a full, complete, and final settlement and fulfillment of any and all duties and/or obligations of the County pursuant to a Memo of Understanding, regarding wetland mitigation site, for amendments to the right-of-way easement contracts, timber sale payment and a temporary working space agreement for the Northern State Recreation Area, Skagit County Contract No. C20020439. **(Contract No. C20140109)**

12. Resolution to authorize the provision of legal defense to C. Wesley Richards and Charles Wend in lawsuits initiated by Rodney Gates. **(Resolution No. R20140076)**
13. Resolution to authorize the provision of legal defense to Arne O. Denny in a lawsuit initiated by Daniel Harding. **(Resolution No. R20140077)**

h) PUBLIC WORKS:

14. Resolution for the approval of specifications and call for bids for the Skagit County Street Waste Facility Project. The bid opening is scheduled to take place on Monday, April 7, 2014, at 2:00 p.m. or as soon thereafter as possible. **(Resolution No. R20140078)**
15. Resolution for the approval of maps, plans, and specifications and call for bids for the Calhoun Road Rehabilitation Project; Schedule A - Calhoun Road, Skagit County Project #ES43200-1; Schedule B Waterline, Skagit County Project #ES97-81, PUD Project #WO 13-03451. The bid opening is scheduled to take place on Monday, April 7, 2014, at 2:15 p.m. or as soon thereafter as possible. **(Resolution No. R20140079)**
16. Personal Services Agreement with SoundEarth Strategies, Inc. to provide a two (2) day Certified Erosion & Sediment Control Lead (CESCL) training on Thursday, March 20, and Friday, March 21, 2014. The CESCL training meets the requirements of the National Pollutant Discharge Elimination System (NPDES) Phase II Permit. The Agreement shall commence on the date of execution and continue until December 31, 2014. Compensation shall not exceed \$5,905.98. **(Contract No. C20140110)**
17. Vendor Services Agreement with Granite Construction to provide road maintenance materials to be used for chip sealing and other activities to maintain County roads and right-of-ways. The Agreement shall commence on the date of execution and continue until March 31, 2015. Compensation shall not exceed \$100,000. **(Contract No. C20140111)**
18. Vendor Services Agreement with Xylem Dewatering Solutions, Inc. dba Godwin Pumps of America to provide rental equipment for various projects with expected expenditures to exceed \$25,000. The Agreement shall commence on the date of execution and continue until March 31, 2015. Compensation shall not exceed \$50,000. **(Contract No. C20140112)**
19. Interlocal Cooperative Agreement with the City of Burlington to allow the County and City to work in cooperation on the 2014 Asphalt Overlay Project. The Agreement shall commence on the date of execution and continue until December 31, 2014. The County shall bill the City for the City's portion of the project which is estimated to be \$250,000. **(Contract No. C20140113)**
20. Vendor Services Agreement with Cummins Northwest, LLC to provide engine control components incorporated into the ferry main engines and related materials and technical support to inspect and repair the engines for the Guemes Island Ferry, MV Guemes, as authorized by and pursuant to the terms of a sole source resolution, Skagit County Resolution No. R20060274. The Agreement shall commence on the date of execution and continue for two years. Compensation shall not exceed \$25,000. **(Contract No. C20140114)**

V. RATIFICATION AGENDA (items 21 through 36):

i) BUDGET AND FINANCE:

21. Resolution authorizing the ratification of a Personal Services Agreement with Community Action of Skagit County to provide services to low-income residents, administration of Veterans' Relief Program, case management for family services, and support services for the Ted W. Anderson East County Resource Center. A signed Agreement was not executed prior to the commencement of services on January 1, 2014, due to delays in the review of the contract terms. **(Resolution No. R20140080)**
22. Personal Services Agreement with Community Action of Skagit County to provide services to

low-income residents, administration of Veterans' Relief Program, case management for family services, and support for the Ted W. Anderson East County Resource Center. The Agreement commenced on January 1, 2014, and shall continue until December 31, 2014. Compensation shall not exceed \$415,085. **(Contract No. C20140115)**

j) CLERK:

23. Resolution authorizing the ratification of an Interlocal Cooperative Agreement with the Washington State Department of Corrections to establish the terms and conditions under which the County agrees to allow electronic access to adult criminal documents on a subscription basis. The original Agreement was misplaced during the routing process and a new Agreement was not prepared prior to the commencement of services on January 1, 2014. **(Resolution No. R20140081)**
24. Interlocal Cooperative Agreement with the Washington State Department of Corrections to establish the terms and conditions under which the County agrees to allow electronic access to adult criminal documents on a subscription basis. The Agreement commenced on January 1, 2014, and shall continue until terminated. The County shall bill Subscriber Agency \$125 each quarter. **(Contract No. C20140116)**

k) PUBLIC WORKS:

25. Resolution authorizing the ratification of a Grant Agreement with the State of Washington by and through the Salmon Recovery Funding Board (SRFB) and the Recreation and Conservation Office (RCO) for the preliminary engineering and design of more off-channels with the floodplain footprint of the Dike District #3 (DD#3) Delta Channel Design levee setback Project No. 13-1057P. The grant was not received from RCO prior to commencement date of December 4, 2013. **(Resolution No. R20140082)**
26. Grant Agreement with the State of Washington by and through the Salmon Recovery Funding Board (SRFB) and the Recreation and Conservation Office (RCO) for the preliminary engineering and design of more off-channels with the floodplain footprint of the Dike District #3 (DD#3) Delta Channel Design levee setback Project No. 13-1057P. The Agreement commenced on December 4, 2013, and shall continue until June 4, 2015. Compensation to Skagit County shall not exceed \$125,000. **(Contract No. C20140117)**
27. Resolution authorizing the ratification of a Grant Agreement with the State of Washington by and through the Salmon Recovery Funding Board (SRFB) and the Recreation and Conservation Office (RCO) to complete the final design for over 3,600 feet of a new Hansen Creek Channel, including the installation of numerous wood structures, as well as floodplain plantings, Project No. 13-1060P. The grant was not received from RCO prior to commencement date of December 4, 2013. **(Resolution No. R20140083)**
28. Grant Agreement with the State of Washington by and through the Salmon Recovery Funding Board (SRFB) and the Recreation and Conservation Office (RCO) to complete the final design for over 3,600 feet of a new Hansen Creek Channel, including the installation of numerous wood structures, as well as floodplain plantings, Project No. 13-1060P. The Agreement commenced on December 4, 2013, and shall continue until December 4, 2015. The award amount is \$245,140, 85% of the total project cost. Skagit County Clean Water Fund - Fund 120 will provide a match of \$43,260, 15% of the total project cost. **(Contract No. C20140118)**
29. Resolution authorizing the ratification of a Grant Agreement with the State of Washington by and through the Salmon Recovery Funding Board (SRFB) and the Recreation and Conservation Office (RCO) to complete the North Fork Skagit Acquisition Project No. 13-1059C. The grant was not received from RCO prior to commencement date of December 4, 2013. **(Resolution No. R20140084)**
30. Grant Agreement with the State of Washington by and through the Salmon Recovery Funding Board (SRFB) and the Recreation and Conservation Office (RCO) to complete the North Fork Skagit Acquisition Project No. 13-1059C. The Agreement commenced on December 4, 2013, and shall continue until June 30, 2017. The award amount is \$403,750, 85% of the total project

cost. Skagit County Clean Water Fund - Fund 120 will provide a match of \$71,250, 15% of the total project cost. **(Contract No. C20140119)**

31. Resolution authorizing the ratification of Amendment No. 1 to Grant Agreement No. C20120165 with the State of Washington by and through the Salmon Recovery Funding Board (SRFB) and the Recreation and Conservation Office (RCO) Project No. 11-1534C for the removal of old bank hardening associated with the Robinson Road right of way. The RCO office Director authorized a time extension as authorized in the original Agreement in order to allow Skagit County to seek reimbursement for work performed since January 1, 2014. **(Resolution No. R20140085)**
32. Amendment No. 1 to Grant Agreement No. C20120165 with the State of Washington by and through the Salmon Recovery Funding Board (SRFB) and the Recreation and Conservation Office (RCO) Project No. 11-1534C for the removal of old bank hardening associated with the Robinson Road right of way. The purpose of this Amendment is to clarify that the County will invoice the Grant for costs incurred from January 1, 2014, through December 31, 2014. All other terms and conditions of the original Grant Agreement shall remain in effect including that the project is partially funded by the Salmon Recovery Funding Board in the amount of \$102,000, and the Clean Water Fund in the amount of \$18,000, for a total amount not to exceed \$120,000. **(Amendment No. A20140025)**

l) SUPERIOR COURT:

33. Resolution authorizing the ratification of a Personal Services Agreement with The Language Exchange to provide court-certified, court-registered, or qualified interpreters in all languages for hearings and trials as requested by Skagit County Superior Court and Skagit County District Court. An Agreement was not finalized prior to the commencement date of January 1, 2014, and it was important to continue to provide the required services. **(Resolution No. R20140086)**
34. Personal Services Agreement with The Language Exchange to provide court-certified, court-registered, or qualified interpreters in all languages for hearings and trials as requested by Skagit County Superior Court and Skagit County District Court. The Agreement commenced on January 1, 2014, and shall continue until December 31, 2014. Compensation shall not exceed \$75,000 and is based on a fee schedule. **(Contract No. C20140120)**
35. Resolution authorizing the ratification of a Personal Services Agreement with Tonic Design Studio Photography to provide Judicial and Court Commissioner portraits for Skagit County Superior courtroom. An Agreement was not finalized prior to the commencement of services on February 12, 2014. **(Resolution No. R20140087)**
36. Personal Services Agreement with Tonic Design Studio Photography to provide Judicial and Court Commissioner portraits for Skagit County Superior courtroom. The Agreement commenced on February 12, 2014, and continued until March 12, 2014. Compensation shall not exceed \$1,400. **(Contract No. C20140121)**

VI. MISCELLANEOUS:

1. Jennifer Kingsley, Community Services and Public Health Director, stated that Skagit County had been awarded \$20,000 in funding from the National Association of County and City Health Officials (NACCHO) for Medical Reserve Corps (MRC) volunteers to work with individuals who were recently released from hospital or long-term care facilities. Ms. Kingsley indicated that the contract goals included assisting these individuals to recover their health. The contract duration is from December 20, 2013, through July 31, 2014.

A motion was made by Commissioner Dahlstedt to approve a resolution ratifying Contract No. MRC-14-1027C from the National Association of Counties and Cities to provide \$20,000 for Medical Reserve Corps volunteers to work with individuals recently released from hospitals or long-term care facilities. The contract duration is December 20, 2013, through July 31, 2014. **(Resolution No. R20140088)** Commissioner Dillon seconded the motion. The vote passed unanimously.

A motion was made by Commissioner Dahlstedt to approve Contract No. MRC-14-1027C from the National Association of Counties and Cities to provide \$20,000 for Medical Reserve Corps volunteers to work with individuals recently released from hospitals or long-term care facilities. The contract duration is December 20, 2013, through July 31, 2014. **(Contract No. C20140122)** Commissioner Dillon seconded the motion.
The vote passed unanimously.

VII. 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 \$192,653.95 (Transmittal No. C-37-14); and
 - b) Warrants numbered 399680 through 400207 from Clearing Fund 696 in the total dollar amount of \$2,845,404.60 (Transmittal No. C-38-14).

VIII. ADJOURNMENT:

Chair Wesen adjourned the proceedings at 1:39 a.m.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Ron Wesen, Chair

Kenneth A. Dahlstedt, Commissioner

Sharon D. Dillon, Commissioner

ATTEST:

Clerk of the Board