

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
TUESDAY, MAY 27, 2014**

The Skagit County Board of Commissioners met in regular session on Tuesday, May 27, 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 10:30 a.m.

II. PLEDGE OF ALLEGIANCE:

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

III. AGENDA:

a) *9:00 a.m. - 10:00 a.m. Briefing - County Commissioners/County Administrator

b) 10:30 a.m. - 11:30 a.m. Board of County Commissioners:

1. Discussion/Possible Action: Revisions to Skagit County Code 14.44 "Enforcement/Penalties"

Ryan Walters, Deputy Civil Prosecuting Attorney, provided some procedural background information and a timeline for the revisions to Skagit County Code 14.44 "Enforcement/Penalties".

There was a discussion about the proposed ordinance that had been drafted by the volunteer citizens' committee and the complexities involved in revising the code.

Commissioner Dahlstedt requested that the Planning and Development Services provide information about the number of code compliant complaints that had been filed and what action had been taken by the County. He said that more time was needed to review the Citizen Committee's draft ordinance and suggested that a work session should be scheduled.

Roger Mitchell of Bow stated that his comments were being made on behalf of the citizen committee and thanked the Commissioners for their leadership in recognizing the need for dialogue and public participation in the process. He discussed the rational and best practices that the committee used when they drafted the proposed revisions and recommended that if County staff rewrote the code, that perhaps the work could be done in conjunction with a few members of the citizens' committee.

Arne Denny, Deputy Civil Prosecuting Attorney, provided a brief statement about the work involved when the County rewrote the zoning code in early 2000 and stated that if the existing code was completely rewritten, it would involve staff attorney time, participation from the public and possibly the services of a consultant.

A motion was made by Commissioner Dillon to approve scheduling a work session to consider revisions to Skagit County Code 14.44 "Enforcement/Penalties" on Tuesday, July 8, 2014, at 10:00 a.m., in the Commissioners' Hearing Room. Commissioner Dahlstedt seconded the motion.

The vote passed unanimously.

2. Miscellaneous

There were no miscellaneous items for Planning and Development Services to discuss.

Chair Wesen recessed the proceedings at 11:30 a.m.

c) 11:30 a.m. - 11:45 a.m. Board of County Commissioners:

Chair Wesen reconvened the proceedings at 11:31 a.m.

1. Public Comment Period

Carol Ehlers of West Fidalgo Island spoke about the Shoreline Management Plan's 50 foot setback requirement; non-conforming building lots; and the need to inform the public about how much time was required to file applications to rebuild the property after the property had been damaged.

Don Collins of 22299 Cully Road in Sedro-Woolley said he was one of the directors of the Wildcat Steelhead Club and commented on the Annual Fish Derby which has been held at the Northern State Pond in Sedro-Woolley for several years. Mr. Collins said that after years of sediment and vegetation buildup, the pond required dredging but the Club could not afford the cost of all the permits.

Ed Stauffer of Bow spoke about a meeting he attended in Sumner. He said it was a Joint State Senate Committee hearing on the Shoreline Management Act which was led by Senator Pam Roach and Senator Doug Ericksen and indicated that a revision of Skagit County's Shoreline Master Plan was not necessary. Mr. Stauffer spoke about the request from the Planning Commission that Planning and Development Services staff provide them with all the materials for each meeting prior to the meeting so that they have time to review them prior to deliberations.

Ellen Bynum of the Friends of Skagit County commented on the volunteer Citizen Committee's rewrite of Skagit County Code 14.44; the amount of time involved in rewriting the Code, and the need to have as much public participation involved in the rewrite of the Comprehensive Plan Update.

2. Miscellaneous Announcements

Future Public Hearing:

Tuesday, June 3, 2014, at 9:30 a.m.: To Consider Testimony Regarding the Reauthorizing of the Skagit County Clean Water (Shellfish Protection) District Program and Reestablishment of Budget and Finance Rates and charges.

Tuesday, June 17, 2014, at 8:30 a.m.: To Consider Testimony Regarding a Franchise Agreement with Blanchard-Edison Water Association to Install,

Operate and Maintain Water Utility Systems.

Chair Wesen recessed the proceedings at 11:54 a.m.

- d) 1:30 p.m. - 2:00 p.m. Consent Agenda, Vouchers, Warrants and Miscellaneous Items
- e) *3:00 p.m. - 4:00 p.m. Executive Session (None Scheduled as of the Date of this Notice)

There were no executive sessions scheduled for the week of May 26, 2014.

IV. CONSENT AGENDA FOR TUESDAY, MAY 27, 2014 (items 1 through 30):

Chair Wesen reconvened the proceedings at 1:30 p.m.

A motion was made by Commissioner Dillon to approve the Consent Agenda items 1 through 25, items 27 through 30, Ratification Agenda items 31 through 38, vouchers and warrants for Tuesday, May 27, 2014. Consent Agenda item 26 was pulled and will be brought back on a future Ratification Agenda. Commissioner Dahlstedt seconded the motion.

The vote passed unanimously.

a) COMMISSIONERS:

1. Record of the Proceedings for Monday, May 19, 2014. **(Approved)**
2. Record of the Proceedings for Thursday, May 22, 2014. **(Approved)**
3. Resolution to appoint Tasker Robinette to fill a vacant position on the Skagit County Northwest Senior Services Board, with a term commencing on the date of execution and expiring on June 1, 2016. **(Resolution No. R20140151)**
4. Resolution to appoint Charlene Olmdahl to fill a vacant position on the Skagit County Northwest Senior Services Board, with a term commencing on the date of execution and expiring on June 1, 2016. **(Resolution No. R20140152)**

b) COMMUNITY SERVICES:

5. Personal Services Agreement with Pioneer Human Services to provide the services and staff necessary for residential treatment for criminal justice clients with co-occurring mental health and substance use disorders. The Agreement shall commence on the date of execution, and continue until June 30, 2015. Compensation shall not exceed \$150,000, based on a fee for service basis and is funded by DSHS Agreement No. 1163-27323 with the State of Washington Department of Social and Health Services (DSHS), Skagit County Contract No. C20110367. **(Contract No. C20140223)**
6. Personal Services Agreement with Pioneer Human Services to provide a case manager to assist individuals referred by the United States Department of Housing and Urban Development (HUD) Supportive Housing Program, who are discharging from the Skagit County Crisis Center with intensive case

management treatment services. The Agreement shall commence on July 1, 2014, and continue until June 30, 2015. Compensation shall not exceed \$55,000 and is funded by the .1% sales tax. **(Contract No. C20140224)**

7. Amendment No. 2 to Personal Services Agreement No. C20130307 with Rehabco to provide Pathways to Employment and Community Access services to eligible individuals with development disabilities. The purpose of this Amendment is to increase compensation to take into consideration an increase in the number of clients served. Compensation is increased from \$115,000 to \$120,000. All other terms and conditions of the original Agreement and subsequent Amendment shall remain in effect including the termination date of June 30, 2014. **(Amendment No. A20140066)**
8. Personal Services Agreement with Skagit County Public Hospital District #304 to provide coordination and evaluation of the Varsity in Volunteerism (VIV) Program in Sedro-Woolley and Concrete school districts in partnership with United Way and Worksource. The Agreement shall commence on July 1, 2014, and continue until June 30, 2015. Compensation shall not exceed \$15,000 and is funded by DSHS Agreement No. 1163-27323 with the State of Washington Department of Social and Health Services (DSHS), Skagit County Contract No. C20110367. **(Contract No. C20140225)**

c) DEPARTMENT OF EMERGENCY MANAGEMENT:

9. Emergency Response and Recovery Mutual Assistance Agreement with Snohomish County to allow for the reimbursement of costs incurred by Skagit County Geographic Information Services, Public Works, Sheriff's Office, and the Department of Emergency Management while assisting Snohomish County in providing immediate response and recovery efforts associated with the Oso landslide. The Agreement shall commence on the date of execution and continue until terminated. Skagit County will be reimbursed for all response and recovery expenses incurred. **(Contract No. C20140226)**

d) FACILITIES MANAGEMENT:

10. Personal Services Agreement with Graham-Bunting Associates to provide Critical Area Site Assessment of Skagit County Parcel No. P70719 and P70724. The Agreement shall commence on the date of execution and continue until December 31, 2014. Compensation shall not exceed \$3,000 and is based on an hourly rate schedule. **(Contract No. C20140227)**
11. Amendment No. 6 to Interagency Agreement No. 2009-ERG-528, Skagit County Agreement No. C20090382, with the Department of Enterprise Services, Facilities Division, Engineering & Architectural Services for the Energy/Utility Conservation Project Management and Monitoring. The purpose of this Amendment is to reduce monitoring and verification fees for year two by \$2,000 for a new compensation amount not to exceed \$61,700. All other terms and conditions of the original Agreement and subsequent shall remain in effect. **(Amendment No. A20140067)**

e) GEOGRAPHIC INFORMATION SERVICE:

12. Tier 3 Partnership Agreement with Sound Development Group LLC to allow the sharing of the 2013 Pictometry orthographic aerial photography images with organizations outside the existing Skagit County-Pictometry partnership. Tier 3 partners pay \$400 to recover some of the costs of the

project, paid by all Skagit partners. The Agreement shall commence on the date of execution and shall continue for as long as the contractor possesses the orthographic images. Compensation to Skagit County shall not exceed \$400. **(Contract No. C20140228)**

f) HEALTH:

13. Memorandum of Agreement with the Board of Regents of the University of Oklahoma on behalf of the College of Public Health to provide a student intern for the Environmental Public Health Division, for general training in Environmental Health programs, and for projects relating to local geologic hazards and cyanobacteria monitoring at local lakes. The Agreement provides for 160 hours for an internship over a six-week period. There is no financial consideration associated with this Agreement. **(Contract No. C20140229)**

g) HUMAN RESOURCES:

14. Memorandum of Agreement with Professional and Technical Employees (PTE) Local 17 and Skagit County regarding 2014 closure days. **(Contract No. C20140230)**

h) INFORMATION SERVICES:

15. Business Service Order Agreement with Comcast to deliver business class internet to the Sedro-Woolley Senior Center, located at 715 Pacific Street in Sedro-Woolley. The Agreement shall commence on the date of execution and shall continue for three years. Compensation shall not exceed \$1,300 per year. **(Contract No. C20140231)**
16. Addendum No. 14 to Contract No. 00484 with Spillman Technologies, Inc., to assist in the installation of the Spillman Public Safety System on a second test server and to provide ongoing support services for the test system, including annual upgrades, patches and software support. The original Agreement commenced on July 31, 1989, and shall continue indefinitely. This Amendment increases compensation by \$8,734 for the first year, and \$8,240 per year for future maintenance charges, for a new estimated compensation amount not to exceed \$814,045 for the year 2014. All other terms and conditions of the original Agreement and subsequent Amendments shall remain in effect. **(Amendment No. A20140068)**
17. Master License Agreement with Latitude Geographics Group Ltd. for GeoCortex mapping software to be used by Skagit County Geographic Information Service Department to replace outdated Skagit Explorer tool software which is being phased out. The Agreement shall commence on the date of execution and shall continue until terminated. The Agreement has an initial cost of \$22,000 for the software and an ongoing estimated maintenance fee of \$4,500 per year. **(Contract No. C20140232)**

i) OFFICE OF JUVENILE COURT:

18. Resolution authorizing the submission of an application request in the amount of \$10,779 for the Edward Byrne Memorial Justice Assistance Grant through the Bureau of Justice Assistance to help fund the Skagit County Juvenile Victim Offender Meeting Program. **(Resolution No. R20140153)**

j) PARKS, RECREATION & FAIR:

19. Vendor Services Agreement with Davis Amusements Cascadia for the management and maintenance of a carnival consisting of rides and gaming booths for the 2014 Skagit County Fair. The Agreement shall commence on the date of execution and may be extended for one additional year, with the option to extend for an additional one year thereafter for a total period not to exceed three years. Compensation shall not exceed \$12,000 fixed fee or 25% of ticket gross sales, whichever is greater. **(Contract No. C20140233)**
 20. Interagency Agreement No. K1366 with the State of Washington and the Washington State Department of Agriculture (WSDA), Fairs & Commissions Program to provide grant funds for capital projects to replace a power pole at the Skagit County Fairgrounds. The Agreement shall commence on the date of execution and shall continue until July 31, 2015. All work associated with this project is 50% funded by the WSDA grant (\$5,000) and 50% funded by Skagit County (\$5,000) total compensation shall not exceed \$10,000. **(Contract No. C20140234)**
- k) PROSECUTING ATTORNEY:
21. Washington State Department of Commerce Community Services and Housing Division Office of Crime Victims Advocacy State Fiscal Year (SFY) 2015 Victim/Witness Assistance Grant No. S15-31102-526 to provide funding to support Victim/Witness Program activities. The Grant shall commence on July 1, 2014, and continue until June 30, 2015. Compensation to Skagit County shall not exceed \$32,412. **(Contract No. C20140235)**
 22. Amendment No. 1 to Personal Services Agreement No. C20130521 with Sue Fox-Golombeck, doing business as Express Legal Transcription, to provide transcription services for victim, witness, and/or defendant interviews and depositions. The purpose of this Amendment is to reflect the rate per page increase from \$5.50 per page for transcripts to \$6.50 per page for transcripts. All other terms and conditions shall remain in effect including the compensation amount not to exceed \$3,000. **(Amendment No. A20140069)**
- l) PUBLIC WORKS:
23. Resolution calling for a public hearing to consider testimony regarding the sale of County surplus property. The public hearing is scheduled to take place on Tuesday, June 17, 2014, at 8:30 a.m. or as soon thereafter as possible. **(Resolution No. R20140154)**
 24. Resolution concerning the approval of maps, plans and specifications and call for bids for the 2014 Asphalt Overlay Project #ESA014-1. The bid opening is scheduled to take place on Monday, June 16, 2014, at 2:00 p.m. **(Resolution No. R20140155)**
 25. Resolution concerning the approval of maps, plans, and specifications and call for bids for the haul out and maintenance for the Vehicle and Passenger Ferry M/V Guemes. The bid opening is scheduled to take place on Monday, June 16, 2014, at 2:15 p.m., or as soon thereafter as possible. **(Resolution No. R20140156)**
 26. Vendor Services Agreement with Industrial Power Supply, Inc., doing business as Skagit Hydraulics, to provide maintenance and repairs to

hydraulic cylinders, pumps, motors and valves from a variety of County-owned vehicles and equipment. The Agreement shall commence on the date of execution and shall continue for one year. Compensation shall not exceed \$20,000, based on a shop straight time work unit price of \$85 per hour. **(Items pulled from the Consent Agenda to be considered on a future Ratification Agenda)**

27. Amendment No. 2 to Cooperation Agreement No. C20080474 with the United States of America Army Corps of Engineers and the Cockreham Island Levee for the Rehabilitation of a Non-Federal Flood Control Work Job No. SKA-06-07. This Amendment approves a letter to the U.S. Army Corps of Engineers regarding the Certification of Lands and Authorization for Entry for the Phase II construction of the Cumberland Creek Channel Restoration project located on the left bank of the Skagit River, Parcel Nos. P41168 and P41865. This project provides mitigation for the Cockreham Levee repairs constructed during 2012 and 2013 to correct damages incurred during the 2006 flood. **(Amendment No. A20140070)**
28. Amendment No. 1 to Grant Agreement No. C20140117 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. 13-1057 P. The purpose of this Amendment is to incorporate the request from RCO that the County agrees to include the Environmental Protection Agency's (EPA) "Provision for Puget Sound Estuary and Restoration Projects." All other terms and conditions of the original Agreement shall remain in effect including the commencement date of December 4, 2013, and the expiration date of December 4, 2015, and the award amount to Skagit County remains unchanged at \$125,000. **(Amendment No. A20140071)**
29. Amendment No. 1 to Grant Agreement No. C20140118 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 purpose of this Amendment is to incorporate the request from RCO that the County agrees to include the Environmental Protection Agency's (EPA) "Provision for Puget Sound Estuary and Restoration Projects." All other terms and conditions of the original Agreement shall remain in effect including commencement date of December 4, 2013, the expiration date of December 4, 2015, and the award amount to Skagit County remains unchanged at \$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. **(Amendment No. A20140072)**
30. Temporary Easement for Parcel No. P40897, property owners Ryan Jepperson and Christina Jepperson, for the purpose of riparian restoration under the Natural Resource Stewardship Program Project. The Agreement shall commence on the date of execution and shall continue until May 27, 2024. All work associated with this easement is funded by the Clean Water Fund. **(Contract No. C20140236)**

V. RATIFICATION AGENDA (items 31 through 38):

m) ADMINISTRATIVE SERVICES:

31. Resolution authorizing the ratification of an Interlocal Cooperative Agreement with Washington State University for the provision of Cooperative Extension Services. Negotiation of the terms and conditions of the Agreement delayed finalization and it was important to continue to provide services to Skagit County residents. **(Resolution No. R20140157)**
 32. Interlocal Cooperative Agreement with Washington State University for the provision of Cooperative Extension Services. The Agreement commenced on January 1, 2014, and shall continue until December 31, 2015. Compensation shall not exceed \$596,000 for the two-year term of the Agreement. **(Contract No. C20140237)**
- n) INFORMATION SERVICES:
33. Resolution authorizing the ratification of an Interlocal Agreement with the City of Sedro-Woolley for the provision of technology services. Finalization of the Agreement was delayed because Skagit County only recently received it from the City of Sedro-Woolley for execution. **(Resolution No. R20140158)**
 34. Interlocal Technology Service Agreement with the City of Sedro-Woolley for the provision of technology services. The Agreement commenced on January 1, 2014, and shall continue until December 31, 2016. Skagit County shall invoice the City on a quarterly basis based on a service for compensation fee schedule. **(Contract No. C20140238)**
- o) PUBLIC WORKS:
35. Resolution authorizing the ratification of an Interlocal Cooperative Agreement with Skagit Conservation District to develop and implement Skagit County Community Wildfire Protection Plan (CWPP) using the Firewise Communities/USA Program. Finalization of the Agreement was delayed due to the delay in the appropriation of the 2014 funding. **(Resolution No. R20140159)**
 36. Interlocal Cooperative Agreement with Skagit Conservation District to develop and implement Skagit County Community Wildfire Protection Plan (CWPP) using Firewise Communities/USA Program. The Agreement commenced on December 1, 2013, and shall continue until December 31, 2014. Compensation shall not exceed \$84,000. **(Contract No. C20140239)**
- p) SHERIFF:
37. Resolution authorizing the ratification of a Vendor Services Agreement with Bellair Charters to provide a 36-passenger bus and driver for the round-trip transportation of staff from Mount Vernon, Washington to Longview, Washington, in order to tour the Cowlitz County Corrections Facility on May 7, 2014. Time was insufficient to execute an Agreement before May 7, 2014, since the final number of attendees and pickup location was not known until shortly before the trip. **(Resolution No. R20140160)**
 38. Vendor Services Agreement with Bellair Charters to provide a 36-passenger bus and driver for the round-trip transportation of staff from Mount Vernon, Washington to Longview, Washington, in order to tour the Cowlitz County Corrections Facility on May 7, 2014. The Agreement commenced on May 7, 2014, and shall continue for one year. Compensation shall not exceed

\$2,500. (Contract No. C20140240)

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 \$203,963.28 (Transmittal No. C-65-14); and
 - b) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$73,473.59 (Transmittal No. C-66-14); and
 - c) Warrants numbered 403494 through 403895 from Clearing Fund 696 in the total dollar amount of \$6,352,472.08 (Transmittal No. C-67-14).
 - d) Payroll warrants numbered 332185 through 332877 in the total dollar amount of \$1,126,149.84 (Transmittal No. P-20-14); and
 - e) Junior District Payroll warrants numbered 805599 through 805775 in the total dollar amount of \$273,689.71 (Transmittal No. P-21-14).

VII. ADJOURNMENT:

Chair Wesen adjourned the proceedings at 1:35 p.m.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Ron Wesen, Chair

Kenneth A. Dahlstedt, Commissioner

Sharon D. Dillon, Commissioner

ATTEST:

Clerk of the Board