

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, NOVEMBER 10, 2014**

The Skagit County Board of Commissioners met in regular session on Monday, November 10, 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 10:18 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) 10:15 a.m. - 10:30 a.m. Presentation: Skagit County Historical Museum

Jo Wolfe, Fundraising and Publicity Coordinator, provided an update of present and upcoming exhibits at the Skagit County Historical Museum. She mentioned that the East Wing Gallery was available for rent.

The Commissioners thanked the Skagit County Historical Museum's Board for all their hard work.

Chair Wesen recessed the proceedings at 10:25 a.m.

c) 10:30 a.m. - 11:30 a.m. Planning and Development Services - Dale Pernula, Director:

Chair Wesen reconvened the proceedings at 10:37 a.m.

Dale Pernula, Director; and Ryan Walters, Deputy Prosecuting Attorney, were present to introduce the agenda item and answer questions.

1. Discussion/Possible Action: Skagit County Planning Commission's Recorded Motion Regarding the 2013 Docket of Comprehensive Plan Amendments and Related Development Regulation Proposals

Mr. Pernula noted that there were five applications for Comprehensive Plan Amendments that were considered by the Planning Commission. He noted that after considering the written, spoken comments and the record before it, the Planning Commission entered the following findings of fact, reasons for action, and recommendations to the Board of County Commissioners:

- 1) Kim Yong Ho Map Amendment Proposal (PL13-0302)
- 2) Bayview Ridge Development Regulations Amendments and Proposed Development Regulations Amendments - Airport Environs Overlay Amendments

The Planning Commission recommended that the Board of County Commissioners approve the proposed map amendment.

Bayview Ridge Subarea Plan Amendments and Proposed Development Regulation

Amendments:

The Planning Commission recommended that:

- 1) the Board of County Commissioners disapprove the proposed subarea plan changes and development amendments as written.
- 2) the Board of County Commissioner consider redesignation AVR-L as proposed and consider expanding BR-LI and review the proposed expansion to avoid potential conflicts with existing residential, which may mean shrinking the proposed BR-LI.

Commissioner Dahlstedt said that he would prefer to vote separately on each proposal. He indicated that it was premature to vote on the Airport Environs Overlay (AEO) before residential development was established. He said that there were no time constraints on the AEO and he would prefer to determine what would be done with the residential development before a decision was made on the AEO. He discussed the work that had been performed on the industrial adjustments with the Port of Skagit County.

Commissioner Dillon indicated that she would prefer to move forward all on the proposals.

Chair Wesen indicated that it would be a bad choice to locate an airport within close proximity to residential property. He discussed the growth potential for the County and the Bayview Ridge Urban Growth Area, he indicated that according to recent Census data, growth in the rural areas of the County was not expected to be as high as was expected in past years and that there was not a need to build more residential development in the Bayview Ridge area.

A motion was made by Commissioner Dillon to approve Kim Yong Ho Map Amendment Proposal (PL13-0302). Commissioner Dahlstedt seconded the motion.

The vote passed unanimously.

A motion was made by Commissioner Dahlstedt to approve Bayview Ridge Light Industrial as proposed by staff on October 15, 2014, with the buffer modifications and to change the BR-LI to the AVR-L. Commissioner Dillon seconded the motion.

There was a discussion about the suggested code change regarding the 250 foot setback from residential if there was an intervening building. Mr. Walters provided a drawing depicting the 250 foot setback that was submitted by Mr. Sitkin and the Bayview Ridge Land Use Plan Map.

The vote passed on a 2 - 1 vote with Commissioner Dillon dissenting.

A motion was made by Commissioner Dillon adopt the map as recommended by staff. Chair Wesen seconded the motion.

The vote passed on a 2 - 1 vote with Commissioner Dahlstedt dissenting.

A motion was made by Commissioner Dillon to approve the proposed Subarea Plan changes and development regulations as written and as proposed by staff. Chair Wesen seconded the motion.

The vote passed on a 2 - 1 vote with Commissioner Dahlstedt dissenting.

A motion was made by Commissioner Dillon accept the Planning Commission's recommendation for Airport Environs Overlay (AEO) Chair Wesen seconded the motion.

The vote passed on a 2 - 1 vote with Commissioner Dahlstedt dissenting.

Mr. Walters mentioned that Ordinances to reflect the Board of County Commissioners

motion would be brought forward for the Commissioners consideration and possible action on Monday, November 17, 2014.

Chair Wesen recessed the proceedings at 11:15 a.m.

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

Chair Wesen reconvened the proceedings 11:30 a.m.

1. County and Individual Success Stories

Jeanne Youngquist, Auditor, stated that the Government Finance Officer Association (GFOA) was a nonprofit professional association serving approximately 17,500 government finance professionals, located in Chicago and Washington, D.C. She said that GFOA "Certificate of Achievement for Excellence in Financial Reporting" was presented on an annual basis in recognition of governmental accounting and financial reporting. Ms. Youngquist said that the certificate for 2013 had been awarded to Jana Robbins, Chief Accountant for the Skagit County Auditor's Office.

The Commissioners congratulated the Auditor's office.

2. Public Comment Period

Carol Ehlers of West Fidalgo Island commented on how difficult it had been to locate information regarding the upcoming public hearing on Monday, November 17, 2014 on the County's website. She also commented on rural resource intermediate designation and said that people who resided in residential zones should have the same rights as agricultural and forestry; and the recent Planning Commission meeting. Ms. Ehlers provided a copy of document from the Forest Board Manual regarding groundwater and commented on drainage utility district; the County's authority to control groundwater; geohazards and steep hazardous unstable slopes.

Iris Collinge; Scott Mangold; Jeff Jacobs; Kate Bowers; Wendy Swanson; and Greta Morgan, residents of the Bow-Edison area, addressed concerns they had about a gun shop that would be coming to their community.

Chair Wesen noted that the Skagit County Sheriff was aware of the gun store and that the zoning in the area allowed for a gun store.

Seeing no further public comment coming Chair Wesen closed the public comment period at 12:10 p.m.

3. Miscellaneous Announcements

There were no miscellaneous announcements.

e) 11:45 a.m. - 12:00 p.m. Proclamation Recognizing November 14, 2014, as National Adoption Day in Skagit County

Melissa Beaton, Skagit County Superior Court, presented the National Adoption Day Proclamation and invited the Commissioners to the National Adoption Day Celebration on Friday, November 14, 2014, Skagit County Superior Court in Courtroom 2.

Commissioner Dahlstedt read the Proclamation recognizing Friday, November 14, 2014, as National Adoption Day in Skagit County.

Chair Wesen recessed the proceedings at 12:16 p.m.

f) 1:30 p.m. - 2:00 p.m. Consent Agenda, Vouchers, Warrants and Miscellaneous Items

- g) *2:00 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 November 10, 2014.

IV. CONSENT AGENDA FOR MONDAY, NOVEMBER 10, 2014 (items 1 through 21):

Chair Wesen reconvened the proceedings at 1:33 p.m.

A motion was made by Commissioner Dillon to approve Consent Agenda items 1 through 21, Ratification Agenda items 22 through 31, vouchers and warrants for Monday, November 10, 2014. Commissioner Dahlstedt seconded the motion.

The vote passed unanimously.

a) COMMISSIONERS:

1. Record of the Proceedings for Tuesday, December 18, 2012. **(Approved)**
2. Record of the Proceedings for Tuesday, February 19, 2013. **(Approved)**
3. Record of the Proceedings for Monday, November 3, 2014. **(Approved)**
4. Record of the Proceedings for Tuesday, November 4, 2014. **(Approved)**
5. Resolution to appoint John Patton to the Boundary Review Board to serve out the term of Alice Fitzgerald. Mr. Patton's term shall commence on November 12, 2014, and shall expire on January 31, 2015. **(Resolution No. R20140324)**

b) COMMUNITY SERVICES:

6. Funding Agreement with Community Action of Skagit County to distribute low-income housing funds pursuant to Substitute House Bill 2163 and House Bill 2331 for the "Project Homeless Connect" event. The Agreement shall commence on January 1, 2015, and shall continue for one year. Compensation shall not exceed \$3,137. **(Contract No. C20140510)**
7. Funding Agreement with Skagit Valley Hospitality Association dba Friendship House to distribute low-income housing funds pursuant to Substitute House Bill 2163 and House Bill 2331. Friendship House will operate a men's shelter, women's shelter and two transitional living housings, seven days per week, 365 days for the year 2015, and will provide local homeless individuals and women with children with shelter, basic needs, assessment and referral to community resources. The Agreement shall commence on January 1, 2015, and shall continue for one year. Compensation shall not exceed \$60,000. **(Contract No. C20140511)**
8. Personal Services Agreement with Community Action of Skagit County to distribute Homeless Housing and Assistance funds pursuant to Substitute House Bill 2163, and House Bill 2331. Community Action of Skagit County will provide Housing Management Information System activities and facilitate a public process to update and add detail to the "10-year plan" to reduce homelessness in Skagit County by 50% between 2005 and 2015. The Agreement shall commence on January 1, 2015, and shall continue until December 31, 2016. Compensation shall not exceed \$71,000. **(Contract No. C20140512)**
9. Personal Services Agreement with Community Action of Skagit County to distribute Homeless Housing and Assistance funds pursuant to Substitute House Bill 2163 and House Bill 2331. Community Action of Skagit County will, in conjunction with community partners, continue to develop and maintain a

coordinated system of access to provide housing services to homeless Skagit County citizens. The Agreement shall commence on January 1, 2015, and shall continue until December 31, 2015. Compensation shall not exceed \$176,000. **(Contract No. C20140513)**

10. Personal Services Agreement with the Seattle Police Foundation to implement and oversee group sessions for youth detained in Skagit County Juvenile Detention. The Agreement shall commence on January 1, 2015, and shall continue until December 31, 2015. Compensation shall not exceed \$4,000. **(Contract No. C20140514)**

c) FACILITIES MANAGEMENT:

11. Construction Contract with RFI Enterprises Inc. to provide all equipment, materials, labor, documentation and services necessary to furnish and install a complete and operational security Access Control and Alarm Monitoring (ACAM) system, and an addition to the Aimetus Digital Video Management System (DVSM). The Agreement shall commence on the date of execution and shall terminate after 90 days from the notice to proceed. Compensation shall not exceed \$133,115.02 plus applicable sales tax. **(Contract No. C2014515)**

d) INFORMATION SERVICES:

12. Amendment No. 1 to Personal Services Agreement No. C20140300 with Ivoxy Consulting, LLC for the procurement of a new storage area network to replace the current system that is due for replacement. The purpose of this Amendment is to increase compensation from \$14,000 to \$18,000 due to an additional two days of service. All other terms and conditions of the original Agreement shall remain the same including the termination date of December 31, 2014. **(Amendment No. A20140151)**

e) PARKS, RECREATION AND FAIR:

13. Amendment No. 2 to Funding Agreement No. C20120423 with Skagit Land Trust for the purpose of providing funding for the acquisition and permanent protection of lands in Skagit County that will contribute to a corridor for Skagit County's planned Centennial Trail. The purpose of this Amendment is to extend the expiration date of the Funding Agreement from December 31, 2014, to December 31, 2015. All other terms and conditions of the original Agreement and subsequent Amendment shall remain the same including the compensation amount not exceed \$50,000. **(Amendment No. A20140152)**
14. Amendment No. 4 to Funding Agreement No. C20100594 with Skagit Land Trust to provide reimbursement for securing public trail access and protecting an open space corridor on South Fidalgo Island from Donnell Road to Deception Pass State Park. The purpose of this Amendment is to extend the expiration of the Funding Agreement from December 31, 2014, to December 31, 2015. All other terms and conditions of the original Agreement and subsequent Amendments shall remain the same including the compensation amount not to exceed \$150,000. **(Amendment No. A20140153)**
15. Amendment No. 1 to Vendor Services Agreement No. C20130612 with Jeremy Oliver dba Absolute Plumbing to provide plumbing and drainage services for various Skagit County Parks locations. The purpose of this Amendment is to exercise the one year extension option in paragraph 5 of the original Agreement. This Amendment extends the expiration date of the Vendor Services Agreement from December 30, 2014, to December 31, 2015, and increases compensation by \$10,000 for a new compensation amount not to exceed \$20,000. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20140154)**

16. Vendor Services Agreement Randy Hannan dba A-1 Safety Tree Service to remove the damaged Elm tree located in the northwest corner of the west parking lot (just directly west of the horse arena at the Skagit County Fairgrounds, located at 1410 Virginia Street in Mount Vernon). The Agreement shall commence on the date of execution and shall continue for one year. Compensation shall not exceed \$1,710 plus applicable sales tax. **(Contract No. C20140516)**

f) PROSECUTING ATTORNEY:

17. Amendment No. 1 to Personal Services Agreement No. C20140374 with Mark R. McClung, MD for the provision of expert witness evaluation and testimony in the area of forensic psychiatry in the matter of the State v. William R. Rogers, Superior Court Cause No. 12-1-00555-8. The purpose of this Amendment is to increase compensation to reflect the additional time required due to standby time until actual testimony and to cover one day of unbudgeted trial observation when defense witness testified. This Amendment increases compensation by \$3,500 for a new compensation amount not to exceed \$18,500. All other terms and conditions of the original Agreement shall remain in effect including the termination date of July 31, 2015. **(Amendment No. A20140155)**

g) PUBLIC WORKS:

18. Amendment No. 2 to Vendor Services Agreement No. C20130194 with Arrow Launch Service, Inc. to provide scheduled and non-scheduled Temporary Passenger-Only Charter Ferry Service between Anacortes and Guemes Island. The purpose of this Amendment is to extend the term of the Agreement from March 31, 2015 to March 31 2016, in order to provide additional temporary barge services. This Amendment increases compensation by \$93,000 for a new compensation amount not to exceed \$201,000. All other terms and conditions of the original Agreement and subsequent Amendment shall remain in effect. **(Amendment No. A20140156)**
19. Interlocal Cooperative Agreement with Public Utility District (PUD) No. 1 of Skagit County for the Old Day Creek Road Pipeline ("A" Street to Transmission Line Project, for repaving of a portion of Old Day Creek Road). The purpose of this Agreement is to allow Skagit County to contribute 50% of the estimated cost of the Project. The Agreement shall commence on the date of execution and shall continue until December 31, 2016. Skagit County shall reimburse PUD No. 1 a total amount not to exceed \$45,000. **(Contract No. C20140517)**
20. Personal Services Agreement with Herrera Environmental Consultants, Inc. to complete the final design for the Hansen Creek - Reach 5 Restoration Project. The Agreement shall commence on the date of execution shall continue until December 31, 2015. Compensation shall not exceed \$300,000 and is funded through a grant from the Washington State Recreation and Conservation Office, Skagit County Contract No. C20140118 and Amendment No. A20140072. **(Contract No. C20140518)**

h) RISK MANAGEMENT:

21. Amendment No. 1 to Personal Services Agreement No. C20140098 with End Results Training, LLC to provide specialized training for Skagit County Sheriff's Department and Juvenile Detention Corrections employees. The purpose of this Amendment is to increase compensation by \$5,500 due to additional training required by the Skagit County Correction Deputies. The new compensation amount shall not exceed \$15,500. All other terms and conditions of the original Agreement shall remain in effect including the termination date of December 31, 2015. **(Amendment No. A20140157)**

V. RATIFICATION AGENDA (items 22 through 31):

i) COMMUNITY SERVICES:

22. Resolution authorizing the ratification of a Personal Services Agreement with Public Hospital District #304 to provide funds to coordinate and implement prevention programs designed to prevent or delay the misuse and abuse of alcohol, prescription drugs and marijuana. Review of the contract terms delayed the finalization of the Agreement. **(Resolution NO. R20140325)**
23. Personal Services Agreement with Public Hospital District #304 to provide funds to coordinate and implement prevention programs designed to prevent or delay the misuse and abuse of alcohol, prescription drugs and marijuana. The Agreement commenced on September 30, 2014, and shall continue until June 30, 2015. Compensation shall not exceed \$22,247 and is funded through "Partner for Success Grant" funds. **(Contract No. C20140519)**

j) EMERGENCY MANAGEMENT:

24. Resolution authorizing the ratification of Washington State Military Department Homeland Security Grant Agreement Grant (EMPG) No. E15-132 to provide funding to assist with the enhancement, sustainment and improvement of state, local, and tribal emergency management programs. Receipt of the Grant delayed finalization. **(Resolution No. R20140326)**
25. Washington State Military Department Homeland Security Grant Agreement (EMPG) No. E15-132 to provide funding to assist with the enhancement, sustainment and improvement of state, local, and tribal emergency management program. The Agreement commenced on June 1, 2014, and shall continue until August 31, 2015. Compensation to Skagit County shall not exceed \$66,985. **(Contract No. C20140520)**

k) PUBLIC WORKS:

26. Resolution authorizing the ratification of Grant Agreement SEANWS-2014-SkCoPW-00003 with the State of Washington Department of Ecology (DOE) for the operations and priority projects of the Northwest Straits - Skagit County Marine Resources Committee (MRC) to improve the health of the marine waters, shorelines and aquatic resources in Skagit County. Negotiations between Skagit County, DOE, and the Northwest Straits Commission delayed the finalization of the grant contract documents. **(Resolution No. R20140327)**
27. Grant Agreement SEANWS-2014-SkCoPW-00003 with the State of Washington Department of Ecology (DOE) for the operations and priority projects of the Northwest Straits - Skagit County Marine Resources Committee (MRC) to improve the health of the marine waters, shorelines and aquatic resources in Skagit County. The action projects include: Fidalgo Bay Day, Salish Sea Stewards/Beach Naturalists, Shoreline Landowner Workshops; Bowman Bay Nearshore Restoration; Nearshore Restoration Monitoring; Pinto Abalone Restoration; and Sound IQ. The Grant commenced October 1, 2014, and shall continue until September 30, 2015. Compensation to Skagit County shall not exceed \$73,000. **(Contract No. C20140521)**

l) SHERIFF:

28. Resolution authorizing the ratification of a Personal Services Agreement with Everett Polygraph Services, LLC to provide polygraph and interview services for potential and existing employees of the Skagit County Sheriff's Office and the Skagit County Jail. Rate negotiations delayed the finalization of the Agreement. **(Resolution No. R20140328)**
29. Personal Services Agreement with Everett Polygraph Services, LLC to provide polygraph and interview services for potential and existing employees of the

Skagit County Sheriff's Office and the Skagit County Jail. The Agreement commenced on October 1, 2014, and shall continue until December 31, 2019. Compensation shall not exceed \$5,000 per calendar year and is based on a fee schedule. **(Contract No. C20140522)**

m) SUPERIOR COURT:

30. Resolution authorizing the ratification of Interagency Agreement IAA15216 with the Administrative Office of the Courts to improve the quality and availability of court interpreter services for Limited English Proficient "LEP", deaf, and hard of hearing persons in accordance with Chapters 2.42 and 2.43 of the Reviewed Code of Washington (RCW). Finalization of the Agreement was delayed because AOC only recently determined the amount of funding available for reimbursement to Skagit County Superior Court. **(Resolution No. R20140329)**
31. Interagency Agreement IAA15216 with the Administrative Office of the Courts to improve the quality and availability of court interpreter services for Limited English Proficient "LEP", deaf, and hard of hearing persons in accordance with Chapters 2.42 and 2.43 of the Revised Code of Washington (RCW). The Agreement commenced on July 1, 2014, and shall continue until June 30, 2015. AOC shall reimburse Skagit County Superior Court an amount not to exceed \$10,917. **(Contract No. C20140523)**

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 412051 through 412051 from Clearing Fund 696 in the total dollar amount of \$50,000 (Transmittal No. C-143-14); and
 - b) Warrants numbered 412052 through 412053 from Clearing Fund 696 in the total dollar amount of \$1,876,015 (Transmittal No. C-144-14); and
 - c) Warrants numbered 412054 through 412343 from Clearing Fund 696 in the total dollar amount of \$1,757,785.11 (Transmittal No. C-145-14); and
 - d) Warrants numbered 4120344 through 412345 from Clearing Fund 696 in the total dollar amount of \$39,025.71 (Transmittal No. C-146-14); and
 - e) Payroll warrants numbered 340012 through 340723 in the total dollar amount of \$1,198,111.44 (Transmittal No. P-42-14); and
 - f) Junior District Payroll warrants numbered 807353 through 807467 in the total dollar amount of \$234,551.88 (Transmittal No. P-43-14).

VII. MISCELLANEOUS:

Dan Berentson, Public Works Director, presented a resolution which would initiated Skagit County's participation in the Washington State Voluntary Stewardship Program to protect and enhance critical areas where agricultural activities are conducted. Mr. Berentson noted 21 applications from individuals interested in serving as members of the Voluntary Stewardship Program Watershed Group had been received and that 12 participants had been selected to be appointed to the Voluntary Stewardship Watershed Group and that 5 were selected to serve on the for the Technical Panel.

Ryan Walters, Deputy Prosecuting Attorney, said that that the Voluntary Stewardship Program was a Washington State initiative that was an attempt to resolve the debate and

litigation over the protection of critical area which he indicated were mostly streams where agricultural activities were occurring. He said that the Watershed Group and Technical Review Panel would develop a work plan and provide technical assistance as needed within 12 months. He noted that the Public Works Department would assemble the work plan and would provide it to the Board of County Commissioners for review prior to sending it to the State for review and approval.

A motion was made by Commissioner Dahlstedt to approve the Resolution to Appoint Members to the Voluntary Stewardship Program Watershed Group (**Resolution No. R20140330**) Commissioner Dillon seconded the motion.

The vote passed unanimously.

VII. ADJOURNMENT:

Chair Wesen adjourned the proceedings at 1:46 p.m.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Ron Wesen, Chair

Kenneth A. Dahlstedt, Commissioner

Sharon D. Dillon, Commissioner

ATTEST:

Clerk of the Board