

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, DECEMBER 1, 2014**

The Skagit County Board of Commissioners met in regular session on Monday, December 1, 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 8:33 a.m.

II. PLEDGE OF ALLEGIANCE:

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

III. AGENDA:

a) 8:30 a.m. - 9:30 a.m. Budget and Finance - Trisha Logue, Director:

1. Public Hearing to Consider Testimony Regarding the 2015 Skagit County Budget

Trisha Logue, Director, provided a PowerPoint presentation and information about the 2015 budget process. Ms. Logue noted that the County provided regional services that were inside and outside of the incorporated areas of Skagit County. She said that the services accounted for approximately \$32 million in the General Fund which was over 64% of the General Fund's budget for 2015. Ms. Logue noted that the General Fund was one of several funds managed by the County and that the purpose of the General Fund was to account for expenses that were not accounted for elsewhere. Ms. Logue provided a brief overview of the General Fund's budget over the past eight years. She said that property taxes were the major source of funding for the General Fund and provided a breakdown of how the County used the resources that were received.

Ms. Logue said that there had been a 14% reduction in staffing in 2014 accounting for approximately 107 positions which included full-time and part-time workers but not part-time on-call or seasonal positions.

Ms. Logue noted that the proposed 2015 Budget included the following: known funding reductions in State, Federal, local; new construction revenue; 1% increase in property taxes; no closure days; contingency for 2% general wage adjustment; position reductions of 3.2 filled; 5.6 vacant; position additions of 3.2 in law and justice; 1.5 in Planning and Development Services; and 1 in Facilities Management.

PowerPoint Presentation:

<ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/12012014>

The final budget and levy adoption was scheduled for Monday, December 8, 2014, at 2:00 p.m. in the Commissioners' Hearing Room.

Chair Wesen opened the public hearing at 8:45 a.m.

Aileen Good of Sedro-Woolley commented on multiple crime and security concerns that the homes and businesses located along the Cascade Trail had experienced and requested that the paving projects be removed from the Six-Year Transportation Improvement Program (TIP). Ms. Good addressed concerns about chemicals that were being sprayed on and around her family's property.

Randy Good of Sedro-Woolley requested that the Cascade Trail Paving Project be removed from the Six-Year TIP because additional extensive deliberations and public processes were required to address the Planning Commission's concerns. Mr. Good said that there were flooding and environmental issues that needed to be addressed on any improvement activities on the Cascade Trail. He said that the bicycle route on State Route 20 was a safer alternative than the Cascade Trail.

Roger Mitchell of Bow provided a photograph of the Cascade Trail and requested that the Board of County Commissioners not fund the Cascade Trail paving projects and that they be removed from the TIP. Mr. Mitchell spoke in opposition to the two Cascade Trail paving projects and said that by incorporating them TIP by reference resulted in incorporating everything, and that the projects did not reflect the will of the people. Mr. Mitchell indicated that the public were not fairly represented during the Planning Commission deliberation process and addressed concerns about the public process and flooding issues on the trail and high risk activities associated with the trail.

Ellen Bynum of Bow spoke on behalf of Friends of Skagit County and thanked the staff that contributed to preparing the budget. Ms. Bynum indicated that it was difficult to locate the budget for the TIP or the Capital Facilities Plan (CFP) and requested that the Budget and Finance staff create a footnote to designate items in the budget that come out of the TIP or the CFP in order to provide transparency and accessibility to the public. Ms. Bynum commented on the Supplemental Staff report on the CFP and requested that the characterization of public comment accurately reflect the intent of what citizen's mean and that the public be given an opportunity to rebut details in the report. Ms. Bynum commented on Recreational Use Immunity and indicated that the County and State did not have liability for parks and trails but landowners whose land was adjacent to trails had no protection or immunity from prosecution for accidents. She went on to discuss the staff comments on whether a trails plan was required by the Revised Code of Washington (RCW) and indicated that the Skagit County Parks and Recreation Plan and the Urban Growth Area (UGA) Open Space Plan were not trails plans. Ms. Bynum discussed the need for Skagit County to have a mitigation program to prevent future loss of farmland.

Robert Linn of Sedro-Woolley commented on the Clean Water Assessment Fund 120 and said that the title of the fund was misleading and that it should be changed to the Shellfish Protection Fund. He indicated that Bayview and the Samish Bays were the two major shellfish problem areas in Skagit County. Mr. Linn estimated that over the period 2007 through 2014 that over \$14 million of taxpayer resources had been spent from Fund 120 on the Clean Water Protection and addressed the accomplishments. Mr. Linn noted that the shellfish issues at Bayview and Samish Bays had not been corrected. He went on to address the assessments process of the Clean Water assessments and said that assessments were not evenly distributed and the private sectors paid more than the public sectors. Mr. Linn explained that he had a background in the economics of taxation and that the basic rules of taxation were that taxes should be imposed on the source of the identified problem; taxes should be imposed as easily as possible for the taxpayer to understand and the tax collector should be able to collect easily. He indicated that using square footage of impervious surface to assess taxes was not an accurate method to use to assess taxes. Mr. Linn suggested that a thorough review of the Clean Water Program be performed; if budget were adopted for the Clean Water Fund, that the money not be spent right away; and that the Board of County Commissioners direct all employees or elected officials of Skagit County not to engage in reprisal or retribution against him or his family for bringing this matter to the Commissioners attention.

Ellen Cooley of Bow commented on the TIP and the proposed paving of the Cascade Trail. Ms. Cooley indicated that taxpayer dollars should not be used to pave the Cascade Trail and that the projects should be rejected.

Connie Munsey of Anacortes urged the Commissioners to consider the testimony brought forward regarding the capital improvement projects and the Clean Water

assessments. She requested that the trail plans should be either removed from the TIP or tabled.

Jack Arrington of Anacortes spoke in opposition to the paving the Cascade Trail and commented on the United States Treasury issuance of new debt for 2015.

Carol Ehlers of West Fidalgo Island indicated that the Planning Department was not identified in the 2015 Budget and indicated that the Planning Department was underfunded. Ms. Ehlers indicated that due to underfunding, the Planning Department was not able to help the public to identify the issues for 2016 plan; and that the shoreline master plan process lacked access to geomorphological information. She indicated that there was not a public process to draft code to regulate marijuana growing in residential areas. Ms. Ehlers went on to comment about the lack of information about the population in unincorporated areas in Anacortes; the need for the County to do a complete Comprehensive Plan revision in 2016; County Code lacked information that would assist the public about the process to follow if their homes caught on fire; management of cleaning up hazardous chemicals; and the Planning Commission process for 2015.

Ivan Bacus of Sedro-Woolley spoke in opposition to paving the Cascade Trail and its inclusion on the Six-Year TIP. He said that sediment was a perpetual problem on the Cascade Trail and that the money would be better spent maintaining fences along the trail. Mr. Bacus indicated that the Clean Water Fund should be reviewed.

Ed Lipsey of Sedro-Woolley spoke in opposition to paving the Cascade Trail and security; flooding issues and went on to discuss roads that should be closed due to danger issues with undercutting.

Mary Kay Oliver of Sedro-Woolley spoke in opposition to paving the Cascade Trail and said that it was not safe for horses to travel on paved trails and requested that he Cascade Trail Paving Projects be rejected.

Ed Stauffer of rural Skagit County commented on a U.S. Army Corps of Engineer's roll out meeting that he attended regarding land reclamation projects in Skagit County. Mr. Stauffer stressed the importance of being an informed citizen and urged the Commissioners to get clarification from staff if they had questions on any reports presented. He went on comment on the 5,500 rural properties being reassessed because they no longer had access to potable water. He urged the County to stop taking concept grants; and plans; and discussed the meaning of home rule.

Seeing no further public testimony forthcoming, Commissioner Dahlstedt made a motion to close the public hearing at 10:04 a.m. Commissioner Dillon seconded the motion which passed unanimously.

Chair Wesen recessed the proceedings at 10:05 a.m.

- b) *9:30 a.m. - 10:30 a.m. Briefing - County Commissioners/County Administrator
- c) 1:30 p.m. - 2:00 p.m. Consent Agenda, Vouchers, Warrants and Miscellaneous Items
- d) *2:00 p.m. - 4:00 p.m. Executive Session (None Scheduled as of the Date of this Notice)

IV. CONSENT AGENDA FOR MONDAY, DECEMBER 1, 2014 (items 1 through 25):

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, Ratification Agenda items 26 and 27, vouchers and warrants for Monday, December 1, 2014. Commissioner Dahlstedt seconded the motion.

The vote passed unanimously.

a) COMMISSIONERS:

1. Record of the Proceedings for Tuesday, May 28, 2013. **(Approved)**
2. Record of the Proceedings for Tuesday, July 9, 2013. **(Approved)**
3. Record of the Proceedings for Tuesday, October 15, 2013. **(Approved)**
4. Record of the Proceedings for Monday, November 24, 2014. **(Approved)**
5. Record of the Proceedings for Tuesday, November 25, 2014. **(Approved)**

b) ASSIGNED COUNSEL:

6. Personal Services Agreement with Glen Hoff, 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 January 1, 2015, and shall continue until December 31, 2016. Compensation shall not exceed \$150,000 for all matters assigned and is based on an hourly compensation and reimbursement schedule. **(Contract No. C20140542)**

c) COMMUNITY SERVICES:

7. Personal Services Agreement with Sunrise Services to provide integrated mental health and chemical dependency treatment services for Skagit County Mental Health Court (MHC) clients. The Agreement shall commence on January 1, 2015, and shall continue until December 31, 2015. Compensation is based on a fee schedule and shall not exceed \$10,000 which is funded by the .1% sales tax. **(Contract No. C20140543)**
8. Personal Services Agreement with Pioneer Human Services to provide the services and staff necessary or incidental to the performance of the Residential Substance Abuse Treatment (RSAT) program for offenders in the Skagit County Jail. The Agreement shall commence on January 1, 2015, and shall continue until December 31, 2015. Compensation shall not exceed \$340,000 and is funded by the .1% sales tax. **(Contract No. C20140544)**
9. Personal Services Agreement with Pioneer Human Services to provide management of the sixteen (16) bed, adult, voluntary Skagit County Crisis Center to provide integrated state-certified sub-acute detoxification and mental health crisis stabilization services. The Agreement shall commence on January 1, 2015, and shall continue December 31, 2015. Compensation shall not exceed \$508,212 and is funded by the .1% sales tax. **(Contract No. C20140545)**
10. Personal Services Agreement with Phoenix Recovery Services to provide urinalysis testing and case management to mental health individuals referred for participation in Skagit County's Adult Felony Drug Court. The Agreement shall commence on January 1, 2015, and shall continue until December 31, 2015. Compensation is based on a fee schedule and shall not exceed \$40,000 and is funded by the .1% sales tax. **(Contract No. C20140546)**
11. Personal Services Agreement with Phoenix Recovery Services to provide chemical dependency prevention, treatment and support services to individuals enrolled in the Skagit County Family Treatment Court. The Agreement shall commence on January 1, 2015, and shall continue until December 31, 2015. Compensation is based on fee schedule and shall not exceed \$25,000 and is funded by the .1% sales tax. **(Contract No. C20140547)**

12. Funding Agreement with Anacortes Family Center to distribute Homeless Housing and Assistance funds pursuant to Substitute House Bill 2163 and House Bill 2331. The Anacortes Family Center will provide up to 60 bed nights of interim housing to over 400 individuals. The Agreement shall commence on January 1, 2015, and shall continue for one year. Compensation shall not exceed \$39,264. **(Contract No. C20140548)**
 13. Personal Services Agreement with Sharon Robinson Holmes to conduct performance reviews of sub-contracted Behavioral Health Treatment and Prevention agencies in the program areas of Substance Abuse/Chemical Dependency and Developmental Disabilities utilizing monitoring and evaluation tools approved by Skagit County Community Services. The Agreement shall commence on January 1, 2015, and shall continue until December 31, 2015. Compensation shall not exceed \$5,000. **(Contract No. C20140549)**
 14. Interlocal Cooperative Agreement with the City of Anacortes to provide Senior Services through the Anacortes Senior Center. The Agreement shall commence on January 1, 2015, and shall continue until December 31, 2015. Compensation to Skagit County shall not exceed \$29,928. **(Contract No. C20140550)**
 15. Interlocal Cooperative Agreement with the Town of Concrete to provide Senior Services through the Concrete Senior Center. The Agreement shall commence on January 1, 2015, and shall continue until December 31, 2015. Compensation to Skagit County shall not exceed \$7,639. **(Contract No. C20140551)**
 16. Personal Services Agreement with NAMI Skagit to provide education and outreach to individuals living with mental illness. The Agreement shall commence on January 1, 2015, and shall continue until December 31, 2015. Compensation shall not exceed \$12,100 and is funded by the mental health millage funds. **(Contract No. C20140552)**
- d) CORONER:
17. Vendor Services Agreement with Evans Funeral Chapel & Crematory, Inc. to have a person available twenty-four (24) hours per day, seven (7) days per week to receive the deceased subject at the funeral facility to provide the Coroner's office with a key and alarm codes to the funeral facility. The Agreement shall commence on January 1, 2015, and shall continue until December 31, 2015. Compensation shall not exceed \$5,000 and is based on a fee schedule. **(Contract No. C20140553)**
- e) FACILITIES MANAGEMENT:
18. Amendment No. 2 to Personal Services Agreement No. C20120126 with Parker Corporate Services, Inc., dba Pacific Security to provide security officer services for the Skagit County Public Safety Building and the Skagit County Courthouse. The purpose of this Agreement is to extend the term from December 31, 2014, to December 31, 2015. This Amendment increases the hourly compensation per contracted security officer from \$14.49 to \$14.93 and the hourly compensation per contracted security supervisor from \$16.17 to \$16.66, which reflects a compensation increase of 3% as approved by the Skagit County Sheriff's office. This Amendment increases compensation from \$122,784 to a new compensation amount not to exceed \$124,000. All other terms and conditions of the original Agreement and subsequent Amendment shall remain in effect. **(Amendment No. A20140169)**
 19. Amendment No. 2 to Vendor Services Agreement No. C20110513 with Electric West, Inc. to provide electrical services, including the troubleshooting, repair and replacement of electrical components that include, but may not be limited to: power resources, lighting switches and relays; electrical motors; generators, and building lights and electrical infrastructure in general at any and all Skagit

County facilities. The purpose of this Amendment is to provide installation of LED lights on poles installed for safety reasons at 700 South 2nd Street in Mount Vernon. This Amendment increases compensation by \$650 for a new compensation amount not to exceed \$14,650. All other terms and conditions of the original Agreement and subsequent Amendment shall remain the same including the termination date of November 20, 2014. **(Amendment No. A20140170)**

f) INFORMATION SERVICES:

20. Addendum No. 17 to Contract No. 00484 with Spillman Technologies, Inc. for the procurement of the additional Spillman Law Licenses for the Cities of Anacortes and Sedro-Woolley. This Addendum increases compensation by \$4,358 including sales tax and excluding ongoing maintenance costs. The new estimated compensation amount shall not exceed \$867,800. **(Amendment No. A20140171)**

g) PLANNING AND DEVELOPMENT SERVICES:

21. Amendment No. 2 to Personal Services Agreement No. C20120229 with Forterra for expert technical assistance and policy guidance for consideration of a Skagit Transfer of Development Rights (TDR) program. The purpose of this Amendment is to extend the term of the Agreement from December 31, 2015, in order to allow time to move forward with policies and code for the TDR program. All other terms and conditions shall remain in effect including the compensation amount not to exceed \$37,735. **(Amendment No. A20140172)**

h) PROSECUTING ATTORNEY:

22. Personal Services Agreement with Allen R. Emerson & Associates to provide court reporter and transcription services for victim, witness, and/or defendant interviews and depositions. The Agreement shall commence on January 1, 2015, and shall continue until December 31, 2015. Compensation shall not exceed \$2,000 and is based on a fee schedule. **(Contract No. C20140554)**
23. Personal Services Agreement with Orland D. Freeman to provide process service and related services for Skagit County Prosecuting Attorney's Family Support, Civil or Criminal Divisions. The Agreement shall commence on January 1, 2015, and shall continue until December 31, 2015. Compensation shall not exceed \$10,000 and is based on a fee schedule. **(Contract No. C20140555)**

i) SHERIFF:

24. Incineration of Controlled Substances Agreement with RockTenn CP, LLC to burn controlled substances held in custody by the Skagit County Sheriff's Office pursuant to the conditions set forth in Exhibit "A", "Disposal Guidelines". The Agreement shall commence on the date of execution and shall continue until June 30, 2015. No monetary value is associated with this Agreement. **(Contract No. C20140556)**
25. Amendment #3 to Contract No. C20120123 with the Humane Society of Skagit Valley to provide kennels for animals brought in by County representatives. The purpose of this Amendment is to extend the term of the Contract from December 31, 2014, to December 31, 2015. All other terms and conditions of the original Contract and subsequent Amendments shall remain in effect including the compensation amount not to exceed \$60,000. **(Amendment No. A20140173)**

V. RATIFICATION AGENDA (items 26 and 27):

j) HEALTH:

26. Resolution authorizing the ratification of an Independent Contractor Agreement with Washington Early Learning Fund, dba Thrive by Five Washington to provide services through the Nurse Family Partnership requirements. Changes and the need to update information caused a delay in finalizing of the Agreement. **(Resolution No. R20140344)**
27. Independent Contractor Agreement with Washington Early Learning Fund, dba Thrive by Five Washington to provide services through Nurse Family Partnership requirements. The Agreement commenced on October 1, 2014, and shall continue until September 30, 2015. Compensation shall not exceed \$376,338. **(Contract No. C20140557)**

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 \$216,185.16 (Transmittal No. C-153-14); and
 - b) ACH Transfer Request Form and Certification to Delta Dental from Clearing Fund 696 in the total dollar amount of \$6,426.75 (Transmittal No. C-154-14); and
 - c) ACH Transfer Request Form and Certification to Delta Dental from Clearing Fund 696 in the total dollar amount of \$53,315.88. (Transmittal No. C-155-14); and
 - d) Warrants numbered 413362 through 413748 from Clearing Fund 696 in the total dollar amount of \$3,886,015.83 (Transmittal No. C-156-14); and
 - e) Junior District Payroll warrants numbered 807470 through 807664 in the total dollar amount of \$215,981.37 (Transmittal No. P-46-14).

VII. MISCELLANEOUS:

Paul Randall-Grutter, County Engineer, presented a Resolution declaring an emergency due to the Skagit River recent raising to near flood stage.

A motion was made by Commissioner Dillon to approve a Declaration of Emergency for Storm and Flooding Resolution **(Resolution No. R20140345)** Commissioner Dahlstedt seconded the motion.

The vote passed unanimously.

VIII. ADJOURNMENT:

Chair Wesen adjourned the proceedings at 1:36 p.m.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Ron Wesen, Chair

Kenneth A. Dahlstedt, Commissioner

Sharon D. Dillon, Commissioner

ATTEST:

Clerk of the Board