

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
TUESDAY, FEBRUARY 17, 2015**

The Skagit County Board of Commissioners met in regular session on Tuesday, February 17, 2015, with Chair Kenneth A. Dahlstedt, Commissioner Lisa Janicki, and Commissioner Ron Wesen present.

I. CALL TO ORDER:

Chair Dahlstedt called the proceedings to order at 9:32 a.m.

II. PLEDGE OF ALLEGIANCE:

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

III. AGENDA:

a) *8:30 a.m. - 9:30 a.m. Briefing - County Commissioners/County Administrator with Public Works; Planning and Development Services; Health/Community Services; and Emergency Medical Services Departments

b) 9:30 a.m. - 10:30 a.m. Planning and Development Services - Dale Pernula, Director:

1. Presentation: Planning and Development Department's Organization, Functions, and Staff

Mr. Pernula and additional staff from Planning and Development Services presented an employee organizational chart and a function/services chart to the Commissioners. They briefed the Commissioners on employee positions, the sections within the department, and responsibilities. Questions, answers and discussion followed regarding services and responsibilities.

The organizational chart and function/services chart can be viewed here:
<ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/02162015>

Chair Dahlstedt recessed the proceedings at 10:26 a.m.

2. Miscellaneous

Mr. Pernula did not have any miscellaneous items to discuss.

c) 10:30 a.m. - 11:30 a.m. Port of Skagit:

Chair Dahlstedt reconvened the proceedings at 10:34 a.m. and introduced Port Commissioner Kevin Ware.

1. Presentation: Northern State Project

Port Commissioner Kevin Ware provided information on the proposed joint project at Northern State which would preserve history, be open to the public, and be an economic asset to the community.

2. Discussion/Possible Action:

Director of Business Development and Real Estate at the Port of Skagit Scott Peterson provided the Commissioners with the next steps:

a. Grant Application to Washington State Department of Commerce for Northern State Advanced Planning Grant

County Administrator Tim Holloran apologized for fast tracking the grant, funding authorization, and updated Interlocal Agreement. He discussed the opportunities that would be provided by the grant and joint partnership with the Port of Skagit and the City of Sedro-Woolley and some of the projects and planning that would be accomplished to allow Janicki Bioenergy to locate on the campus and create a public space and learning center. Mr. Holloran said that expected job creation from Janicki Bioenergy would start out at 100 jobs and was expected to grow to 1,000.

The Commissioners indicated their support for the project and then Commissioner Janicki announced that she would be recusing herself from making a decision in the matter to avoid a conflict of interest in fact or in appearance per RCW 42.23.

A motion was made by Commissioner Wesen to approve Skagit County staff submitting an Advanced Planning Grant Application to the Department of Commerce for \$200,000. Chair Dahlstedt seconded the motion.

The vote passed unanimously.

b. Grant Matching Funding Authorization in the Amount of \$75,000

A motion was made by Commissioner Wesen to approve Skagit County's provision of matching funds in the amount of \$75,000. Chair Dahlstedt seconded the motion.

The vote passed unanimously.

c. Updated Interlocal Agreement Between Port of Skagit, Skagit County, and City of Sedro-Woolley

Mr. Holloran said that the Interlocal Agreement would be brought forward in one to two weeks for the Commissioners consideration.

Further discussion was held to clarify the grant application amount and Mr. Holloran asked that Commissioner Wesen's earlier motion to approve submittal in the amount of \$200,000 be amended to the correct amount of \$412,000.

A motion was made by Commissioner Wesen to amend his previous motion approving a grant application in the amount of \$200,000 to the Department of Commerce, and, correcting the grant application amount to \$412,000. Chair Dahlstedt seconded the motion.

The vote passed unanimously.

Chair Dahlstedt recessed the proceedings at 11:07 a.m.

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

Chair Dahlstedt reconvened the proceedings at 11:30 a.m.

1. County and Individual Success Stories

No one provided county or individual success stories.

2. Public Comment Period

Gary Hagman of Anacortes and President of the Skagit Chapter of the Citizens Alliance for Property Rights discussed concerns with the Transfer of Development Rights (TDR) Program.

Carol Elhers of Fidalgo Island provided comments regarding the lack of a mechanism to preserve documents and records stored online and the need to resolve Blanchard's request for a quiet zone.

Ed Stauffer of Alger discussed concerns with the 5:30 p.m. Skagit County Planning Commission Open House on Comprehensive Plan's Housing Element, and the TDR Program.

Jack Aarington of Anacortes shared that after listening to the current EMS issue, he was reminded of a 2013 news article about a Harvard study that was performed and showed that college students who cheated saw government as a good career choice.

Bonnie Howard and Ray Kelley of Sedro-Woolley shared concerns about upcoming nearby herbicide spraying of 'Element 4' with the active ingredient triclopyr which they were against.

3. Miscellaneous Announcements

EMS Director Mark Raaka and the Commissioners discussed BLS implementation plans and moving forward with funding the reimbursement of an ambulance to be purchased by the City of Burlington, Mayor Sexton (Mayor of the City of Burlington) spoke to the matter and Kirk Hale (who had been working on the matter with the City of Burlington Fire Chief) apologized that plans were not quite ready.

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

Commissioner Wesen reconvened the proceedings at 1:31 p.m. and excused Chair Dahlstedt's absence.

Public Health Director Jennifer Johnson introduced new staff members and provided additional information on Consent Agenda item no. 12.

Behavioral Health Program Coordinator Sarah Hinman provided additional information on Consent Agenda item no. 7.

GIS Coordinator Geoff Almvig provided additional information on Consent Agenda item no. 8.

Senior Planner Kirk Johnson provided additional information on Consent Agenda item no. 10.

Assistant Section Manager Jan Flagan provided additional information on Consent Agenda item no. 14.

County Engineer Paul Randall-Grutter provided additional information on Consent Agenda item no. 15.

A motion was made by Commissioner Janicki to approve Consent Agenda items 1 through 16, Ratification Agenda items 17 through 24, vouchers and warrants for Tuesday, February 17, 2015. Commissioner Wesen seconded the motion.

The vote passed unanimously. Chair Kenneth A. Dahlstedt's absence was excused

f) 2:00 p.m. - 2:30 p.m. Planning and Development Services - Dale Pernula, Director:

1. Presentation: Memo Regarding Interim Ordinance O20140009 Regarding Regulations on Marijuana Facilities in Specified Zones

Director Dale Pernula, Assistant Director Ryan Walters, and Senior Deputy Prosecuting Attorney Trisha Johnson discussed the public comments and the proposed approach that Skagit County should take. Ms. Johnson also provided some new information on

marijuana oil extraction methods used by producers, the risks involved with oil extraction, and where to allow those types of processing facilities.

The memorandum provided by Planning and Development Services outlining the background, public comments, proposed approach, and additional information can be found here:

<ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/02162015>

The Commissioners said they would make a decision on March 3, 2015.

2. Miscellaneous

Planning and Development Services did not have any miscellaneous items to discuss.

g) *2:30 p.m. - 4:30 p.m. Executive Session (None Scheduled as of the Date of this Notice)

h) 3:30 p.m. - 4:00 p.m. Proclamation: FFA Week in Skagit County (Future Farmers of America)

Chair Dahlstedt reconvened the proceedings at 3:46 p.m.

Amy Cable, an Advisor at Mount Vernon High School, student Hope Patrick, student Prestin Ekrem, student Austin Olim, leader Randy Good, and Sedro-Woolley Superintendent Phil Brockman discussed the multi-faceted aspects and opportunities students had by participating in FFA.

Commissioner Wesen read the proclamation regarding FFA Week in Skagit County.

i) *5:30 p.m. Skagit County Planning Commission Open House on Comprehensive Plan's Housing Element

IV. CONSENT AGENDA (items 1 through 16):

a) COMMISSIONERS:

1. Record of the proceedings for Monday, February 2, 2015. **(Approved)**
2. Record of the proceedings for Monday, February 9, 2015. **(Approved)**
3. Record of the proceedings for Tuesday, February 10, 2015. **(Approved)**

b) BUDGET AND FINANCE:

4. Resolution establishing Skagit County's Cost Assessment Policy for 2014. **(Resolution No. R20150071)**
5. Resolution establishing the 2014 Cost Allocations to County funds. **(Resolution No. R20150072)**

c) COMMUNITY SERVICES:

6. Resolution calling for a public hearing regarding the final report on an affordable housing planning-only process funded by a Community Development Block Grant (CDBG). The public hearing is scheduled to take place on Tuesday, March 17, 2015, at 10:30 a.m. **(Resolution No. R20150073)**
7. Personal Services Agreement with Phoenix Recovery Services to provide a Needle Exchange Program (NEP) with weekly services in both Mount Vernon and Sedro-Woolley. The Agreement shall commence on the date of execution and continue for two years, ending December 31, 2016. Compensation shall not exceed \$250,000 and is funded by the .1% Sales Tax for Behavioral Health. **(Contract No. C20150085)**

d) GEOGRAPHIC INFORMATION SERVICES:

8. Amendment No. 3 to General Services Administration Task Order and Licensing Agreement No. C20100543 with Pictometry International Corp. for the purchase and licensing of Pictometry aerial imagery products. The purpose of this Amendment is to authorize for 2015 aerial photography; amend the named authorized user list; and to provide product improvements. Under this Amendment, there will be an annual license fee of \$58,686.98 for 2015 and 2016 which includes tax. Products and costs are to be shared with nine other agencies. The term remains the same, ending December 31, 2016, and compensation remains the same and shall not exceed \$325,427.94 plus applicable sales tax. **(Amendment No. A20150019)**

e) INFORMATION SERVICES:

9. Amendment No. 1 to Professional Services Master Agreement No. C20150037 with M.K. Hamilton and Associates LLC to install and configure the OSMOSIS Security Information and Event Management software system. In addition, the vendor shall monitor and investigate security events and provide an Incident Action Plan as required to remediate cyber security incidents. This Amendment updates Exhibit "B" Scope of Work, to provide open-source monitoring solution deployment, configuration and documentation statement of work. All other terms and conditions of the original Agreement shall remain in effect, including the term which continues until December 31, 2017, and the amount of total compensation which shall not exceed \$28,000. **(Amendment No. A20150020)**

f) PLANNING AND DEVELOPMENT SERVICES:

10. Amendment No. C to Contract No. 12-63401-005, Skagit County Contract No. C20120130, with Washington State Department of Commerce for a Puget Sound Watershed Protection and Restoration Grant to study, consider and, subject to the Board of County Commissioners direction and approval, consider for adoption and implementation an inter-jurisdiction Transfer of Development Rights Program (TDR) in Skagit County. The purpose of this Amendment is to accept additional funding in the amount of \$85,154.69 from the Washington State Department of Commerce to work with the City of Anacortes on an Interlocal Agreement regarding regional transfer of development rights, and to do expanded work on the proposed TDR and density credit/PDR policies and regulations. Total compensation from the Department of Commerce shall not exceed \$285,222.69. All other terms and conditions of the original Agreement and subsequent Amendments shall remain in effect, including the term, ending December 31, 2015. **(Amendment No. A20150021)**

g) PROSECUTING ATTORNEY:

11. Personal Services Agreement with Richard R. Ruth, P.E. to provide expert witness services in the matter of State of Washington v. Ira Blackstock, Skagit County Superior Court Cause No. 13-1-01033-9. The Agreement shall commence on the date of execution and continue until December 31, 2015. Compensation shall not exceed \$8,000 and is based on a fee schedule. **(Contract No. C20150086)**

h) PUBLIC HEALTH:

12. Contract with Northwest Educational Service District 189 to provide evaluation, consultation, coordination, and support services to licensed child care providers on behalf of the NWESD member school districts within Skagit County for the purposes of increasing Kindergarten readiness/success by improving the quality of care for infants and toddlers. The Agreement shall commence on the date of execution and continue through June 30, 2015. Compensation from NWESD shall not exceed \$31,951. **(Contract No. C20150087)**

i) PUBLIC WORKS:

13. Resolution deleting Skagit County Code Sections 6.36.020, 6.36.030, and 6.36.040 regarding previously abolished Sub-Flood Control Zones. **(Resolution No. R20150074)**

14. Local Agency Professional Services Negotiated Hourly Rate Consultant Agreement with Element Solutions for assisting with managing flood, stormwater, and drainage projects within Skagit County. The Agreement shall commence on the date of execution and continue until December 31, 2016. Compensation shall not exceed \$200,000. **(Contract No. C20150088)**
15. Supplemental Agreement No. 2 to Local Agency Standard Consultant Agreement No. C20130217 with Berger ABAM Inc. to provide engineering and environmental services for the Burlington Northern Overpass, Project # ES50510-8. The purpose of this Amendment is to extend the completion date from June 30, 2015, to December 31, 2016. All other terms and conditions shall remain the same including the compensation amount not to exceed \$1,402,406. **(Amendment No. A20150022)**

j) TREASURER:

16. Interlocal Agreement with Skagit Transit to provide investment services. The Agreement shall commence on March 1, 2015, and continue through February 28, 2018. The County will be reimbursed for the costs of safekeeping fees and wire transfer fees, which will be billed on a quarterly basis. **(Contract No. C20150089)**

V. RATIFICATION AGENDA (items 17 through 24):

k) COMMUNITY SERVICES:

17. Resolution authorizing the ratification of a Personal Services Agreement with People First to provide training, outreach, and information to the developmental disabilities community. The Agreement was not received with enough time to route for review and authorization before February 1, 2015. **(Resolution No. R20150075)**
18. Personal Services Agreement with People First to provide training, outreach, and information to the developmental disabilities community. The Agreement commenced on February 1, 2015, and shall continue until December 31, 2015. Compensation shall not exceed \$3,000. **(Contract No. C20150090)**
19. Resolution authorizing the ratification of a Personal Services Agreement with Washington Initiative for Supported Employment (W.I.S.E.) to provide technical assistance services to individuals with disabilities and their families, employment providers, and Skagit County's Developmental Disabilities Program. The Agreement was not received until after February 1, 2015, to route for execution. **(Resolution No. R20150076)**
20. Personal Services Agreement with Washington Initiative for Supported Employment (W.I.S.E.) to provide technical assistance services to individuals with disabilities and their families, employment providers, and Skagit County's Developmental Disabilities Program. The Agreement commenced on February 1, 2015, and shall continue until June 30, 2015. Compensation shall not exceed \$5,800. **(Contract No. C20150091)**
21. Resolution authorizing the ratification of Amendment No. 11 to DSHS County Program Agreement No. 1163-27323, Skagit County Contract No. C20110367, with the State of Washington Department of Social and Health Services (DSHS) to provide funding for chemical dependency prevention services. Negotiation of terms delayed the finalization of the Amendment and it could not be routed in time to be executed by February 15, 2015. **(Resolution No. R20150077)**
22. Amendment No. 11 to DSHS County Program Agreement No. 1163-27323, Skagit County Contract No. C20110367, with the State of Washington Department of Social and Health Services (DSHS) to provide funding for chemical dependency prevention services. This Amendment reduces state funding by \$70,000 due to the increased Medicaid Treatment funding under the Affordable Care Act. Total compensation shall not exceed \$5,611,196. All other terms and conditions of the original Agreement and subsequent Amendments shall remain in effect. **(Amendment No. A20150023)**
23. Ratification of a Personal Services Agreement with Catholic Community Services to provide services through the Community Wellness Program. Development and

agreement to terms and scope of work delayed the Agreement and it could not be finalized and executed prior to January 1, 2015. **(Resolution No. R20150078)**

24. Personal Services Agreement with Catholic Community Services to provide services through the Community Wellness Program. The Agreement commenced on January 1, 2015, and shall continue until December 31, 2015. Compensation shall not exceed \$10,000. **(Contract No. C20150092)**

VII. ADJOURNMENT:

Chair Dahlstedt adjourned the proceedings at 4:04 p.m.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Kenneth A. Dahlstedt, Chair

Lisa Janicki, Commissioner

Ron Wesen, Commissioner

ATTEST:

Clerk of the Board