

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, NOVEMBER 16, 2015**

The Skagit County Board of Commissioners met in regular session on Monday, November 16, 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 10:34 a.m.

II. PLEDGE OF ALLEGIANCE:

Chair Dahlstedt 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 with Public Works; Planning and Development Services; Public Health, and Emergency Medical Services Departments

b) 10:30 a.m. - 11:30 a.m. Public Works - Dan Berentson, Director:

Dan Berentson, Director, was present to introduce the agenda items and answer questions.

Mr. Berentson introduced Michael See, Water Section Manager, and provided a brief background of Mr. See's career with Skagit County.

1. Overview of the Clean Water Program

Mr. See provided a brief history of the Clean Water Program and noted that the Program originated from the Shellfish Protection District which was created in 1995. He said that the Clean Water Program was established in 2005 which authorized the collection of special assessments to improve water quality in fish habitats.

2. Annual Presentation Regarding Northwest Straits Initiative and Skagit Marine Resources Committee Activities

Tracy Alker, Water Resource Coordinator, noted that the Skagit County Marine Resource Committee (MRC) was established in 1999. The Skagit County MRC was one of seven citizen-based advisory committees formed under the congressionally authorized Northwest Straits Marine Conservation Initiative (NWSI) as part of a grassroots effort to protect, enhance, and restore marine resources.

Ms. Alker introduced two members of the Skagit County MRC: Chair Jay Lind; and Vice-Chair Jamey Selleck. Mr. Lind provided a PowerPoint presentation regarding the NWSI and MRC program. Mr. Selleck provided information about

projects and accomplishments for 2014-2015. It was noted that Skagit MRC's work was federally funded in part by the United States Environmental Protection Agency through the Puget Sound Partnership.

Skagit MRC Projects:

1. Bowman Bay Nearshore Restoration
2. Shannon Point Nearshore Restoration
3. Nearshore Restoration Monitoring
4. Pinto Abalone Restoration
5. Olympia Oyster Restoration
6. Fidalgo Bay day
7. Shoreline Landowner Workshops
8. Salish Sea Stewards/Beach Naturalists
9. Sound IQ

New and Ongoing Projects:

1. Bowman Bay Nearshore Restoration
2. Shannon Point Nearshore Restoration
3. Nearshore Restoration
4. Pinto Abalone Restoration
5. Olympia Oyster Restoration
6. Fidalgo Bay Day
7. Shoreline Landowner Workshop
8. Salish Sea Stewards/Beach Naturalists

[Link to Skagit Marine Resources Committee Presentation:](ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/11162015/)

<ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/11162015/>

There was a discussion regarding the amount work and funding allocated for endangered species.

The Commissioners thanked the MRC volunteers for all of their hard work.

3. Public Hearing to Consider Testimony Regarding a Proposal to Amend Skagit County Code 6.68 "Clean Water (Shellfish Protection) District" to Establish a Flat Per Parcel Charge of the Assessment of Clean Water Program Rates and Charges Instead of the Rate Being Based on the Average or Actual Amounts of impervious Surface Per Parcel

Mr. See briefly provided background information about the Clean Water Program (CWP) rates. He noted that there were two public hearings scheduled regarding the CWP. The first public hearing, which was today's hearing, was intended to receive comments on the proposed Ordinance Amending Chapter 6.68 Skagit County Code; and the second public hearing on Tuesday, November 24th at 9:30 a.m., was scheduled with the intent to receive comments on the Resolution proposing changes to the CWP rate structure.

There was a discussion about the impervious rate calculation and the statutory authority to blend the Clean Water Program and the Shellfish Protection Program.

Deputy Prosecuting Attorney Steve Fallquist provided information about the Clean Water Program and the Shellfish Protection District statutes.

Chair Dahlstedt opened the public hearing at 11:22 a.m.

Carol Ehlers of West Fidalgo Island spoke about the need to provide the public with more information prior to public hearings; and spoke in opposition to the higher amount being assessed through the Clean Water Program to single-family homes with wells.

Seeing no further public testimony forthcoming, Commissioner Wesen made a motion to close the public hearing at 11:27 a.m., which was seconded by Commissioner Janicki. The motion passed unanimously.

Clyde Williams, Treasurer's Office Tax Administration Technical Resource Coordinator, provided information about the benefit of a flat per parcel rate assessment.

The Ordinance amending Skagit County Chapter 6.68 Ordinance will be considered for approval on the Consent Agenda on Monday, November 23, 2015, at 1:30 p.m.

Link to Proposed Change to the Clean Water Program Funding Structure:

<ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/11162015/>

4. Miscellaneous

There were no miscellaneous items for Public Works to discuss.

Chair Dahlstedt recessed the proceedings at 11:41 a.m.

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

Chair Dahlstedt reconvened the proceedings at 11:42 a.m.

1. County and Individual Success Stories

There were no County and Individual Success Stories provided.

2. Public Comment Period

Carol Ehlers of West Fidalgo Island commented on the proposed calculation rate of the Clean Water District assessment; suggested that conservation easements should include parcel numbers as part of the record; property owners within the connection water systems should be made aware of the existence of the overlay map for the Coordinated Water System Plan; the County should update the website to include information about South Fidalgo Island planning information, current zoning maps and manuals.

3. Miscellaneous Announcements

There were no miscellaneous announcements.

d) 11:45 a.m. - 12:00 p.m. Proclamation Recognizing Friday, November 20, 2015, as National Adoption Day

Superior Court Manager Melissa Beaton noted that this was Skagit County's ninth year of celebrating National Adoption Day.

Commissioner Wesen read the proclamation recognizing Friday, November 20, 2015, as National Adoption Day in Skagit County and urged all citizens to join in a national effort to raise awareness of the importance of adoption.

Chair Dahlstedt recessed the proceedings at 11:59 a.m.

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

f) *2:30 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 16, 2015.

IV. DISCUSSION - CONSENT AGENDA ITEMS:

Senior Planner Kirk Johnson provided additional information about Consent Agenda item #7.

Chief Prosecuting Attorney Melinda Miller provided additional information about Consent Agenda item #10 and Ratification Agenda item #22.

Surface Water Section Manager Jan Flagan provided additional information about Consent Agenda item #19.

Pollution Identification and Correction Coordinator Karen Dubose provided additional information about Consent Agenda item #20.

Emergency Medical Services Director Mark Raaka provided additional information about Miscellaneous Agenda item #1.

V. CONSENT AGENDA FOR MONDAY, NOVEMBER 16, 2015 (items 1 through 20):

A motion was made by Commissioner Wesen to approve the Consent Agenda items 3 through 20, Ratification Agenda items 21 and 22, vouchers and warrants for Monday, November 16, 2015. (*Consent Agenda items 1 and 2 were pulled and will be considered on a future Consent Agenda.*) Commissioner Janicki seconded the motion.

The vote passed unanimously.

a) COMMISSIONERS:

1. Record of the Proceedings for Monday, November 9, 2015. **(Pulled from the Consent Agenda to be considered on a future Consent Agenda.)**
2. Record of the Proceedings for Tuesday, November 10, 2015. **(Pulled from the Consent Agenda to be considered on a future Consent Agenda.)**

b) ASSESSOR:

3. Amendment No. 2 to Personal Services Agreement No. C20130465 with The Master's Touch to provide printing and mailing Change of Value notices. The purpose of this Amendment is to increase compensation by an additional \$50,000 for a new compensation amount not to exceed \$105,000. All other terms and conditions of the original Agreement and subsequent Amendment shall remain in effect including the termination date of December 31, 2016. **(Amendment No. A20150165)**

c) ASSIGNED COUNSEL:

4. Personal Services Agreement with Sue Goolsbee to provide consultant and representation services to defendants referred by the office of Assigned Counsel who have been deemed conflict of interest for the Skagit County Public Defender's office and have been determined to be within the scope of indigent defense. The Agreement shall commence on January 1, 2016, and continue until December 31, 2018. Compensation for the two-year period shall not exceed \$175,000 and is based on a fee schedule. **(Contract No. C20150495)**

d) BUDGET AND FINANCE:

5. Interlocal Cooperative Agreement with the City of Sedro-Woolley to assist in providing library services to the citizens of unincorporated Skagit County during 2015. The Agreement shall commence on the date of execution and continue until December 31, 2015. Compensation shall not exceed \$9,093. **(Contract No. C20150496)**

e) PARKS, RECREATION AND FAIR:

6. Amendment No. 3 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, 2015, to December 31, 2016. This Amendment amends the terms of Exhibit "A" to include work to determine the appropriate ownership disposition of land to be acquired for the Centennial Trail Corridor. All other terms and conditions of the original Agreement and subsequent Amendments shall remain the same including the compensation amount not exceed \$50,000. **(Amendment No. A20150166)**

f) PLANNING AND DEVELOPMENT SERVICES:

7. Amendment No. 1 to Personal Services Agreement No. C20140466 with Berk Consulting, Inc. to assist the County with the 2016 Comprehensive Plan Update. The purpose of this Amendment is to revise the Scope of Work to include work to analyze Skagit County's transportation needs and potential funding options resulting from projected growth for the years 2015 through 2036, for inclusion in the Transportation Technical Appendix of the Comprehensive Plan Update. This Amendment increases compensation by an additional \$14,940 for a new compensation amount not to exceed \$92,429.40 which is based on a fee schedule. All other terms and conditions of the original Agreement shall remain in effect including the termination date of June 30, 2016. **(Amendment No. A20150167)**

g) PROSECUTING ATTORNEY:

8. Personal Services Agreement with Sue Fox-Golombek dba as Express Legal Transcription to provide transcription services for victim, witness, and/or defendant interviews and depositions. The Agreement shall commence on January 1, 2016, and continue until December 31, 2016. Compensation shall not exceed \$5,000 and is based on the rate of

\$6.50 per page for transcripts. **(Contract No. C20150497)**

9. Grant No. F15-31103-056 from the Washington State Department of Commerce Community Services and Housing Division Office of Crime Victims Advocacy for funding to support through the FFY 2015 STOP Violence Against Women Formula Grant Program. The Grant shall commence on January 1, 2016, and shall continue until December 31, 2016. The Grant awards \$17,290 to Skagit County. Skagit County shall contribute \$5,763 in matching funds. **(Contract No. C20150498)**
10. Amendment No. 3 to the Jail Facility Use Agreement No. C20130315 between Skagit County and the Cities of Mount Vernon, Sedro-Woolley, Anacortes, and Burlington, pursuant to RCW Chapters 70.48 and 39.34. The purpose of this Amendment is to clarify the payment schedule for the City of Sedro-Woolley; and amend Exhibit "B" to include the definition of Year A as 2013; Year B as 2014; Year C as 2016. All other terms and conditions of the original Agreement and subsequent Amendments shall remain in effect. **(Amendment No. A20150168)**
11. Personal Services Agreement with Orland D. Freeman to provide process service and related service for Skagit County Prosecuting Attorney's Family Support, Civil and Criminal Divisions. The Agreement shall commence on January 1, 2016, and continue until December 31, 2016. Compensation shall not exceed \$10,000 and is based on a fee schedule. **(Contract No. C20150499)**

h) PUBLIC DEFENDER:

12. Personal Services Agreement with Shauna Snyder dba Skepton Investigations to provide investigation services, including but not limited to: witness interviews; preparation of witness interview reports or transcription; locating witnesses; service of subpoenas; preparation of diagrams; photographing items of evidentiary value; obtaining records and court testimony as requested by the Skagit County Public Defender. The Agreement shall commence on January 1, 2016, and continue until December 31, 2016. Compensation shall not exceed \$70,000 and is based on fee schedule. **(Contract No. C20150500)**
13. Personal Services Agreement with Joseph Kelly dba Strategic Solutions LLC investigation services , including but not limited to: witness interviews; preparation of witness interview reports or transcription; locating witnesses; service of subpoenas; preparation of diagrams; photographing items of evidentiary value; obtaining records and court testimony as requested by the Skagit County Public Defender. The Agreement shall commence on January 1, 2016, and continue until December 31, 2016. Compensation shall not exceed \$70,000 and is based on a fee schedule. **(Contract No. C20150501)**

i) PUBLIC HEALTH:

14. Interlocal Cooperative Agreement with the Town of Concrete to provide Senior Services through the Concrete Senior Center. The Agreement shall commence on January 1, 2016, and shall continue until December 31, 2016. Compensation to Skagit County shall not exceed \$7,639. **(Contract No. C20150502)**
15. Interlocal Cooperative Agreement with the City of Sedro-Woolley to provide Senior Services through the Sedro-Woolley Senior Center. The Agreement shall commence on January 1, 2016, and shall continue until December 31, 2016. Compensation to Skagit County shall not exceed \$20,441. **(Contract No. C20150503)**
16. Personal Services Agreement with Sunrise Services to provide mental health screening and support services through the

Community Wellness Plan at the East County Resource Center in Concrete. The Agreement shall commence on January 1, 2016, and continue until December 31, 2016. Compensation shall not exceed \$20,000, is based on a fee schedule and funded by the Developmental Disabilities Millage funds. **(Contract No. C20150504)**

j) PUBLIC WORKS:

17. Resolution authorizing a call for bids for mobile marine refueling services for the Vehicle and Passenger Ferry, M/V Guemes. The bid opening is scheduled to take place on Monday, December 7, 2015, at 11:00 a.m. in the Commissioners' Hearing Room. **(Resolution No. R20150356)**
18. Professional Services Agreement with the Skagit Watershed Council to provide funding to help to prioritize future fish barrier correction projects, including but not limited to: habitat surveys to quantify potential habitat gains on selected known County owned fish barriers. This undertaking is being done in partnership with Skagit River System Cooperation and Skagit Fisheries Enhancement Group and will facilitate the County's efforts to acquire funding to correct the barriers that have the highest habitat gains. The Agreement shall commence on the date of execution and shall continue for one year. Compensation to Skagit County shall not exceed \$10,000 and is based on a fee for services rendered and costs incurred. **(Contract No. C20150505)**
19. Personal Services Agreement with Shannon & Wilson, Inc. to provide engineering services for the Freestad Lake Barrier and Shoreline Restoration Project located on the northeastern side of Samish Island. The design will be completed in two (2) phases. The first phase shall be completed with Rose Foundation funding and the second phase shall be completed as the County secures additional funding. Phase two will complete the final design, the bid packet for construction, and associated permits. The Agreement shall commence on the date of execution and continue until January 31, 2016. Compensation shall not exceed \$320,485 and is 50% funded by the Rose Foundation and 50% by the Skagit County Clean Water Fund. **(Contract No. C20150506)**
20. Personal Services Agreement with Pacific Groundwater Group to develop two databases to help the Pollution Identification and Correction (PIC) Program to track water quality and property assessment information in order to address fecal coliform bacteria in the Samish River and Padilla Bay. The Agreement shall commence on the date of execution and continue until July 31, 2016. Compensation shall not exceed \$31,000 and is 100% funded by a grant from the Washington Department of Health, Grant No. N20689, and Skagit County Contract No. C20140380. **(Contract No. C20150507)**

VI. RATIFICATION AGENDA (items 21 and 22):

k) PROSECUTING ATTORNEY:

21. Resolution authorizing the ratification of an Interlocal Agreement between North Sound Regional Support Network dba North Sound Mental Health Administration (NSMHA) and Skagit County for civil commitment Judicial Services pursuant to the Revised Code of Washington (RCW) chapters 71.05 and 71.34 pursuant to RCW 71.05.730(3)(b). Skagit County agrees to provide a duly appointed Court Commissioner, a duly appointed Deputy Prosecuting Attorney, a duly appointed Public Defender and duly appointed Court Clerk staff to conduct civil commitment hearings to individuals being detained at certified facilities within Skagit County. Negotiation of the contract terms and conditions delayed finalization of the Agreement. **(Resolution No. R20150357)**
22. Interlocal Agreement between North Sound Support Network dba North Sound Mental Health Administration

(NSMHA) and Skagit County for civil commitment Judicial Services pursuant to the Revised Code of Washington (RCW) chapters 71.05 and 71.34 pursuant to RCW 71.05.730(3)(b). Skagit County agrees to provide a duly appointed Court Commissioner, a duly appointed Deputy Prosecuting Attorney, a duly appointed Public Defender and duly appointed Court Clerk staff to conduct civil commitment hearings to individuals being detained at certified facilities within Skagit County. The Agreement commenced on September 18, 2015, and continues until August 31, 2016. NSMHA shall pay Skagit County \$950 per each civil commitment case as defined by RCW 71.05.730(3)(a). **(Contract No. C20150508)**

VII. MISCELLANEOUS AGENDA (item 1):

A motion was made by Commissioner Janicki to approve Miscellaneous Agenda item No. 1. Commissioner Wesen seconded the motion.

The vote passed unanimously.

a) EMERGENCY MEDICAL SERVICES:

1. Interlocal Cooperative Agreement with the City of Mount Vernon for the provision of trauma verified basic life support (BLS) services. The County will reimburse the City for the costs of implementing and maintaining of the electronic Patient Care Report (ePCR) data collection system, dispatch fees as well reimbursement for disposable supplies with documentation until the implementation of the centralized Skagit County EMS ordering system is in place. The Agreement shall commence upon the date of execution and continue until December 31, 2018. Compensation is based on a fee schedule. **(Contract No. C20150509)**

VIII. VOUCHERS AND WARRANTS:

- a. 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 \$83,873.31 (Transmittal No. C-167-15); and
 - b) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$224,545.46 (Transmittal No. C-168-15); and
 - c) Warrants numbered 431610 through 431995 from Clearing Fund 696 in the total dollar amount of \$4,261,714.91 (Transmittal No. C-169-15).

IX. ADJOURNMENT:

Chair Dahlstedt adjourned the proceedings at 2:02 p.m.

BOARD OF COMMISSIONERS

SKAGIT COUNTY, WASHINGTON

Kenneth A. Dahlstedt, Chair

Lisa Janicki, Commissioner

Ron Wesen, Commissioner

ATTEST:

Clerk of the Board