

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
TUESDAY, JANUARY 19, 2016**

I. CALL TO ORDER:

Chair Janicki called the proceedings to order at 9:33 a.m.

II. PLEDGE OF ALLEGIANCE:

Chair Janicki 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; Public Health and Emergency Medical Services

b) 9:30 a.m. - 10:00 a.m. Presentation by Trout Unlimited - Wild Steelhead Initiative Project

John McMillan, Science Director for Trout Unlimited, said that Trout Unlimited was America's largest cold water fisheries conservation group that focused on conserving salmon, trout and steelhead and their habitat and provided a brief history of Trout Unlimited and noted that they had 30 offices across the United States. He noted that the Trout Unlimited launched the Wild Steelhead Initiative project about a year ago and that the goal of the initiative was to restore wild steelhead throughout their native range.

Mr. McMillan provided a PowerPoint presentation and noted that if the Skagit River was designated as a wild steelhead gene bank it would be protected from the negative effects of hatcheries and would be able to take advantage of recovery actions. He indicated that the Skagit River was selected as a wild steelhead gene bank because it had a large and growing steelhead population.

There was a discussion about the accuracy of fish counts and whether more regulations on waters and rivers would restrict anglers' access to the river.

Commissioner Janicki suggested that the Commissioners' assemble a roundtable discussion to allow the Commissioners to hear all of the concerns from all sides of the issue.

Link to Trout Unlimited PowerPoint Presentation:

<ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/01182016/>

c) 10:00 a.m. - 11:30 a.m. Public Works - Dan Berentson, Director:

Director Dan Berentson and County Engineer Paul Randall-Grutter introduced the agenda items.

1. Overview of Skagit County's Water Quality Monitoring Program

Water Quality Analyst Rick Haley provided a PowerPoint Presentation regarding several types of water quality monitoring sampling that Skagit County performed.

He said that the Skagit County Monitoring Program was an "ambient" monitoring program designed to determine overall conditions and trends in water quality. The program was established to track water quality over time as Skagit County implemented the Critical Areas for Agriculture Program (Skagit County Code 14.24.120).

There was a discussion about the Clean Samish Initiative; Microbial Source Tracking (DNA testing) used to determine the host that contributes to water quality; and changing the Water Monitoring Program.

[Link to Skagit County Water Quality Monitoring Program Presentation:](ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/01182016/)

<ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/01182016/>

2. Presentation by Russ Weed, Vice-President of Business Development, for UniEnergy Technologies of the Vanadium Flow Battery Systems

Mr. Berentson discussed the tour that several members of the Public Works Department and the Commissioners attended on January 12, 2016, of the UniEnergy Technologies (UET) facility in Mukilteo.

Ferry Operations Manager Captain Rachel Rowe discussed the presentation on December 8, 2015, provided by Joe Payne from EESImarine, and Eric Engelbrecht, from Art Anderson Associates of an all-electric ferry and said the Public Works had been looking for a reliable source of power for an all-electric ferry and that one of the options included the vanadium flow battery technology. Ms. Rowe introduced Russ Weed, Vice President of Business Development and General Counsel; and David Tomlinson, Project Manager from UniEnergy Technologies (UET)

Mr. Weed provided a PowerPoint Presentation about the vanadium flow battery technology.

There was a discussion about charging the battery; affordability; environmental responsibility; operation; maintenance; monitoring and analysis; safety; disposal of the fluids in the vanadium flow battery. It was noted that the vanadium flow technology was about 30 years old and invented in Australia.

Chair Janicki recessed the proceedings at 11:18 a.m.

[Link to Presentation by Russ Weed of the Vanadium Flow Technology:](ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/01182016/)

<ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/01182016/>

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

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

1. County and Individual Success Stories

There was no one present to provide County and Individual Success Stories.

2. Public Comment Period

Bill Reinard of Burlington spoke in opposition to designating the Skagit River as a wild steelhead gene bank.

Link to information submitted by Mr. Reinard:

<ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/01182016/>

Randy Good of Sedro-Woolley spoke about the Washington State Department of Fish and Wildlife draft February 2016 North Cascade Elk Plan; the elk hoof rot disease, damages caused by elk, Senate Bill 6199 and urged the Commissioners to oppose the adoption of proposed Elk Plan.

Link to letter submitted by Mr. Good:

<ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/01182016/>

Ed Stauffer of Bow commented on the vanadium flow battery technology; the Shoreline Master Plan; the workload of the Planning Commission; and requested that he be appointed to the Planning Commission.

3. Miscellaneous Announcements

There were no miscellaneous comments made.

Chair Janicki recessed the proceedings at 11:44 a.m.

e) 11:45 a.m. - 12:00 p.m. Public Health - Jennifer Johnson, Director:

Chair Janicki reconvened the proceedings at 11:45 a.m.

1. Introduction of Housing Resource Coordinator Kayla Schott-Bresler

Public Health Director Jennifer Johnson and Operations Manager Bob Hicks introduced Housing Resource Coordinator Kayla Schoott-Bresler.

Ms. Schoott-Bresler said that she recently came from the Housing Development Consortium of King County; has a Master's Degree in history and studied housing policy, inequality, the welfare state in twentieth century-America, and wrote on the history of the low income housing.

The Commissioners welcomed Ms. Schott-Bresler to Skagit County.

Chair Janicki recessed the proceedings at 11:58 a.m.

f) 1:00 p.m. - 1:30 p.m. Update from Project Manager Marc Estvold - Jail Construction

Project Manager Marc Estvold introduced Chair of the Jail Finance Committee Mark Venn.

Mr. Estvold provided an update of the various dewatering work; installation of aggregate footings; installation of pre-cast walls; structural steel; and dry in/roof on security electronics.

Mr. Estvold reported on the following four (4) Change Orders and said that they would be brought forward on a future agenda:

- 1) Asbestos removal restaurant building;
- 2) Filtration of dewatering;
- 3) Maul Foster & Alongi, Remedial Action; and
- 4) City of Mount Vernon Plan Check Items.

Mr. Estvold reported on the construction schedule milestones and expected that jail would be operation by the summer of 2017.

There was a discussion about the stability of the piers during an earthquake; budget for the construction; contingency budget; clean up of the site; the clean-up funds being tied to Model Toxics Control Act (MCTA) Funds.

Chair Janicki recessed the proceedings 1:35 p.m.

- g) *1:30 p.m. - 2:00 p.m. Presentation by Compensation Works

Chair Lisa Janicki; Commissioner Ron Wesen; and Commissioner Kenneth A. Dahlstedt attended an off-camera presentation given by Catherine Dovey; Ann Fosburgh, Colt Fosburgh and Sheila McLaren of Compensation Works from 1:30 p.m. to 2:00 p.m.

Other Attendees:

County Administrator Tim Holloran; Budget and Finance Director Trisha Logue; and Human Resources/Risk Management Director Jessica Neill Hoyson.

**Please note, an audio recording of the meeting is available upon request by contacting the Skagit County Commissioners' office.*

- h) *2:00 p.m. - 3:00 p.m. Work Session - HKP Architects Project Delivery

Chair Lisa Janicki; Commissioner Ron Wesen; and Commissioner Kenneth A. Dahlstedt attended an off-camera work session regarding HKP Architects project delivery provided by Julie Blazek of HKP Architects from 2:00 p.m. to 3:00 p.m.

Other Attendees:

County Administrator Tim Holloran; Budget and Finance Director Trisha Logue; Chief Civil Deputy Prosecuting Attorney Melinda Miller; and Facilities Management Director Dan Fitting.

**Please note, an audio recording of the meeting is available upon request by contacting the Skagit County Commissioners' office.*

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

There were no executive sessions for the week of January 18, 2016.

IV. DISCUSSION - CONSENT AGENDA ITEMS:

Chair Janicki reconvened the proceedings at 3:01 p.m.

Assessor Dave Thomas and Tax Administrator/Technical Research Coordinator Clyde Williams provided additional information about Consent Agenda item #3.

Ferry Operations Division Manager Captain Rachel Rowe provided additional information about Consent Agenda item #11.

Watershed Resources Section Manager Michael See provided additional information about Consent Agenda item #13.

IV. CONSENT AGENDA FOR TUESDAY, JANUARY 19, 2016 (items 1 through 15):

A motion was made by Commissioner Dahlstedt to approve the Consent Agenda items 1 through 15, Ratification Agenda items 16 through 27, vouchers and warrants for Tuesday, January 19, 2016. Commissioner Wesen seconded the motion.

The vote passed unanimously.

a) COMMISSIONERS:

- 1. Record of the Proceedings for Monday, January 11, 2016. **(Approved)**
- 2. Record of the Proceedings for Tuesday, January 12, 2016. **(Approved)**

b) ASSESSOR/TREASURER:

- 3. Resolution to limit the time period to file claims with the County Treasurer and County Assessor for refunds, cancellations, or corrections of the tax rolls to three (3) years based on the Revised Code of Washington (RCW) 84.68.100 through 84.68.150 under RCW 84.69. **(Resolution No. R20160009)**

c) BUDGET AND FINANCE:

- 4. Funding Agreement with Skagit Artists Together (SAT) which awards \$1,000 of Lodging Tax funds to support marketing and advertising for the Skagit Artists Together Studio Tour taking place on July 16, and 17, 2016, as authorized by Resolution No. R20150361. The Agreement commenced on January 1, 2016, and continues until December 31, 2016. **(Contract No. C20160011)**

5. Funding Agreement with McIntyre Hall Performing Arts and Conference Center at Skagit Valley College which awards \$15,000 of Lodging Tax funds to support marketing and advertising for various events as authorized by Resolution No. R20150361. The Agreement commenced on January 1, 2016, and continues until December 31, 2016. **(Contract No. C20160012)**
6. Funding Agreement with Sedro-Woolley Riding Club which awards \$2,000 of Lodging Tax funds to support marketing and advertising for the Sedro-Woolley Rodeo taking place on July 3, and 4, 2016, as authorized by Resolution No. R20150361. The Agreement commenced on January 1, 2016, and continues until December 31, 2016. **(Contract No. C20160013)**
7. Funding Agreement with Skagit Fisheries Enhancement Group which awards \$750 of Lodging Tax funds to support marketing and advertising for salmon sightings along the Skagit River as authorized by Resolution No. R20150361. The Agreement commenced on January 1, 2016, and continues until December 31, 2016. **(Contract No. C20160014)**

d) PARKS, RECREATION, AND FAIR:

8. Funding Agreement with Skagit Land Trust to provide funding to secure additional lands through easements or acquisitions to expand open space corridors on Fidalgo Island, the "Fidalgo Open Space Corridors" project. The Agreement shall commence on the date of execution and continue until December 31, 2017. Compensation shall not exceed \$50,000 and is funded through the Special Pathways Fund 102, which comes directly from gasoline tax revenues. **(Contract No. C20160015)**

e) PUBLIC HEALTH:

9. Amendment No. 1 to Personal Services Agreement No. C20150480 with Joan Penney to schedule, prepare, organize and execute meetings for key leaders and stakeholders to define and build the structure for a County-wide summit on the issues around homelessness and the need for affordable housing in Skagit County. This Amendment expands Exhibit "A" Scope of Work to include expanded video production services; recruitment of attendees; securing a broad array of presenters; and arranging for the Skagit Council of Governments (SCOG) to contribute to the event planning. Compensation is increased by an additional \$5,625 for a new compensation amount not to exceed \$15,625. All other terms and conditions of the original Agreement shall remain in effect including the termination date of January 31, 2016. **(Amendment No. A20160003)**
10. Amendment No. 1 Personal Services Agreement No. C20150394 with The Language Exchange, Inc., to provide interpretation and translation (spoken and/or written) services. This Amendment adds General Ledger (GL) Codes for Funds 115, 116, 118, 162, and 165. All other terms and conditions of the original Agreement shall remain in effect including the termination date of December 30, 2016, and the compensation amount remains at \$10,000 which is based on a fee schedule. **(Amendment No. A20160004)**

f) PUBLIC WORKS:

11. Resolution rejecting all bids for the installation of live load hanger pin assemblies for Skagit County ferry terminals. Three (3) bids were received through the Municipal Research and Services Center (MRSC) small works roster process on

December 30, 2015, which ranged from \$45,353 to \$78,120. Upon review of the bids, it was determined that all three (3) bids far exceeded the Engineer's estimate amount of \$19,530. **(Resolution No. R20160010)**

12. Resolution to call for bids for one (1) new latest model chemical injection roadside sprayer to replace an existing sprayer in the road operation division fleet. The bid opening is scheduled to take place on February 8, 2016, at 2:30 p.m., or as soon thereafter as possible in the Commissioners' Hearing Room. **(Resolution No. R20160011)**
13. Grant Agreement with the Washington State Conservation Commission to provide funding for the development of a work plan as required for implementation of the Voluntary Stewardship Program, consistent with the Revised Code of Washington (RCW) 36.70A.700-760 and related statutes. The Agreement shall commence on the date of execution and continue until June 30, 2017. Funding to Skagit County shall not exceed \$270,000 and is paid on a reimbursement basis with no match requirement from the County. **(Contract No. C20160016)**

g) RISK MANAGEMENT:

14. Personal Services Agreement with Evergreen Safety Council to provide a qualified instructor and associated materials for safety and health trainings as requested by the Risk Management Department. The Agreement shall commence on the date of execution and continue until December 31, 2016. Compensation shall not exceed \$15,000 and is based on fee schedule. **(Contract No. C20160017)**

h) TREASURER:

15. Resolution to approve the 2015 property tax refund listing prepared by the Skagit County Treasurer's Office. **(Resolution No. R20160012)**

V. RATIFICATION AGENDA (items 16 through 27):

i) ADMINISTRATIVE SERVICES:

16. Resolution authorizing the ratification of an Interlocal Cooperative Agreement with Washington State University (WSU) Extension to provide educational programs for Agriculture and Natural Resources; Family and Consumer Sciences, and Food Access; and 4-H/Youth Development in Skagit County. The Agreement was delayed because WSU could not submit it prior to the adoption of Skagit County budget on December 28, 2015. **(Resolution No. R20160013)**
17. Interlocal Cooperative Agreement with Washington State University (WSU) Extension to provide educational programs for Agriculture and Natural Resources; Family and Consumer Sciences, and Food Access; and 4-H/Youth Development in Skagit County. The Agreement commenced on January 1, 2016, and continues until December 31, 2016. Compensation shall not exceed \$319,405. **(Contract No. C20160018)**
18. Resolution authorizing the ratification of an Agreement with the Skagit County Historical Society to provide funding for the operation of the Museum. The Agreement was delayed because the Museum could not submit it prior to the adoption of Skagit County budget on December 28, 2015. **(Contract No. R20160014)**

19. Agreement with the Skagit County Historical Society to provide funding for the operation of the Museum. The Agreement commenced on January 1, 2016, and continues until December 31, 2018. Funding for 2016 shall not exceed \$154,500. Funding for 2017 and 2018 will be adopted in the annual budget each year. **(Contract No. C20160019)**

j) OFFICE OF JUVENILE COURT:

20. Resolution authorizing the ratification a Personal Services Agreement with Phoenix Recovery Services LLC to provide alcohol and drug information school class and services for eligible youth that are going through the Chemical Dependency Disposition Alternative (CDDA) program to ensure successful treatment options to reduce recidivism. The Agreement was not fully executed prior to the commencement of services. **(Resolution No. R20160015)**
21. Personal Services Agreement with Phoenix Recovery Services LLC to provide alcohol and drug information school class and services for eligible youth that are going through the Chemical Dependency Disposition Alternative (CDDA) program to ensure successful treatment options to reduce recidivism. The Agreement commenced on January 1, 2016, and continues until December 31, 2017. Compensation to Skagit County shall not exceed \$5,000. The CDDA project is funded by County Program Agreement No. 1563-43117, Skagit County Contract No. C20150323, with the Department of Social and Health Services (DSHS). **(Contract No. C20160020)**

k) PLANNING AND DEVELOPMENT SERVICES:

22. Resolution authorizing the ratification of a Vendor Services Agreement with The Drain Doctor for the operation and maintenance of the Edison large on-site septic system. A signed Agreement was not received prior to the commencement of services. **(Resolution No. R20160016)**
23. Vendor Services Agreement with The Drain Doctor for the operation and maintenance of the Edison large on-site septic system. The Agreement commenced on January 1, 2016, and continues until December 31, 2017. Compensation shall not exceed \$22,698.22. **(Contract No. C20160021)**

l) PROSECUTING ATTORNEY:

24. Resolution authorizing the ratification of a Personal Services Agreement with Mark R. McClung, M.D., to provide expert witness testimony in the matter of the State v. Justin Daly, Skagit County Court Cause No. 12-1-00983-9. A signed Agreement was not executed prior to the commencement of services due to the immediate need to review the records in this matter. **(Resolution No. R20160017)**
25. Personal Services Agreement with Mark R. McClung, M.D., to provide expert witness testimony in the matter of the State v. Justin Daly, Skagit County Court Cause No. 12-1-00983-9. The Agreement commenced on December 15, 2015, and continues until December 31, 2016. Compensation shall not exceed \$15,000 and is based on a fee schedule. **(Contract No. C20160022)**
26. Resolution authorizing the ratification of a Personal Services Agreement with Mark R. McClung, M.D., to provide expert witness testimony in the matter of the State v. Isaiah Felix, Skagit County Court Cause No. 15-1-01065-3. A signed Agreement was not executed prior to the commencement of services due to the immediate need to review the

records in this matter. **(Resolution No. R20160018)**

27. Personal Services Agreement with Mark R. McClung, M.D., to provide expert witness testimony in the matter of the State v. Isaiah Felix, Skagit County Court Cause No. 15-1-01065-3. The Agreement commenced on December 15, 2015, and continues until December 31, 2016. Compensation shall not exceed \$15,000 and is based on a fee schedule. **(Contract No. C20160023)**

VI. MISCELLANEOUS AGENDA (item 1 and 2):

County Administrator Tim Holloran provided additional information about Miscellaneous Agenda item #1.

Commissioner Janicki recused herself from voting on Miscellaneous Agenda Item #1 because it concerned the Northern State project with Janicki Bioenergy and left the bench at 3:32 p.m.

a) ADMINISTRATIVE SERVICES:

1. Second Supplement to Amended Interlocal Agreement No. C20150116 with the Port of Skagit and the City of Sedro-Woolley regarding the management and future uses of the Northern State property. This Agreement outlines each parties desire to move forward with the design of the Fruitdale Road Improvements so as to meet the 2016 funding application deadlines. The Agreement shall commence on the date of execution and continue until December 31, 2016. Cost sharing is as follows for the agreed upon task: Port of Skagit initial funding \$60,000, additional funding \$40,000; Skagit County initial funding \$60,000, additional funding \$40,000; City of Sedro-Woolley initial funding \$60,000, additional funding \$40,000. (*The City will also provide approximately \$15,000 in in-kind project management support. **(Amendment No. A20160005)**)

A motion was made by Commissioner Wesen to approve the Second Supplement to Amended Interlocal Agreement No. C20150116 with the Port of Skagit and the City of Sedro-Woolley regarding the management and future use of the Northern State property. Commissioner Dahlstedt seconded the motion.

The vote passed unanimously.

b) EMERGENCY MEDICAL SERVICES:

2. Interlocal Agreement with Skagit County Fire District No. 15 for the provision of Basic life Support Emergency Medical Services. The Agreement shall commence on the date of execution and continue until December 31, 2018. The County will reimburse the Fire District for all EMS related calls at the rate of \$12 per call, as well for the purchase of up to two (2) mobile data entry devices not to exceed \$4,000. **(This item was pulled from the Consent Agenda and will be considered on a future agenda.)**

VII. 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 \$167,398.28 (Transmittal No. C-06-16); and
- b) Warrants numbered 434911 through 435223 from Clearing Fund 696 in the total dollar amount of \$5,168,142.55 (Transmittal No. C-07-16).

VIII. ADJOURNMENT:

Commissioner Wesen adjourned the proceedings at 3:33 p.m.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Kenneth A. Dahlstedt, Chair

Lisa Janicki, Commissioner

Ron Wesen, Commissioner

ATTEST:

Clerk of the Board