

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, JUNE 20, 2016**

The Skagit County Board of Commissioners met in regular session on Monday, June 20, 2016, with Chair Lisa Janicki, Commissioner Ron Wesen, and Commissioner Kenneth A. Dahlstedt present.

I. CALL TO ORDER:

Chair Janicki called the proceedings to order at 1:30 p.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) 1:30 p.m. - 2:30 p.m. Consent Agenda, Vouchers, Warrants and Miscellaneous Items
- c) 3:00 p.m. - 3:30 p.m. Certificate of Commendation - Retirement of George Stucks, Equipment Maintenance Supervisor of the Skagit County Public Works Department

Chair Janicki reconvened the proceedings at 3:00 p.m.

Past Skagit County Public Works employee Dub Queen, Public Works Director Dan Berentson, and the Commissioners shared memories about working with George Stucks. Mr. Stucks also shared memories about his time at Skagit County.

Commissioner Wesen read the Certificate of Commendation in recognition of dedicated public service rendered on behalf of the people, the community, and in the public interest faithfully and unselfishly by George Stucks for 38 ½ years.

Chair Janicki recessed the proceedings at 3:18 p.m.

- d) *3:30 p.m. - 4:00 p.m. Executive Session (None Scheduled as the of the Date of this Notice)

No executive sessions were scheduled for the week of June 20, 2016.

- e) 6:00 p.m. - 7:00 p.m. Planning and Development Services - Dale Pernula Director:

Chair Janicki reconvened the proceedings at 6:03 p.m.

- 1. Public Hearing: 2016 Comprehensive Plan Update

Planning and Development Services Director Dale Pernula provided an update on the work performed on the eight-year plan which included multiple workshops and community meetings and said that the Growth Management Act required Board adoption of the plan by June 30, 2016. Mr. Pernula said the amendments to the Skagit County Comprehensive Plan were released for a 42-day long public comment period on March 3, 2016, and that the Planning Commission had deliberated on the plan after holding a public hearing on April 4, 2016, and that they provided their recommendations to the Board of County Commissioners on May 31, 2016.

Chair Janicki gave an opening statement and asked testimony be limited to three minutes in order to give everyone a chance to speak.

Karen Everett of Guemes Island spoke in opposition to proposed building restrictions on Guemes Island.

Randy Good and Aileen Good of Sedro-Woolley provided comments on Skagit County trail projects, the Transportation Improvement Program, and the loss of farmland.

Mark Madden of Guemes Island provided comments on the proposed building restrictions on Guemes Island and discussed the proposal to allow Planning and Development Services the ability to approve or deny administrative variances.

Dianne and Doug Neilson of Guemes Island spoke in opposition to the current proposal for Guemes Island, saying that it was too restrictive and they read a letter from Mike Rodgers which expressed objections to the restrictive building overlay for Guemes Island that had been put together by the Guemes Island Planning and Advisory Committee (GIPAC) and Skagit County staff.

Nancy Fox of Guemes Island introduced herself as Chair of the Guemes Island Planning and Advisory Committee and shared that the proposed overlay plan for Guemes Island had been worked on for 20 years. She stated that GIPAC had reviewed the Comprehensive Plan policies and Code Amendments and believed them to be appropriate and included provisions for flexibility.

Allen Bush of Guemes Island and Vice Chair of GIPAC provided information on the formation of GIPAC and their planning efforts since 2003.

Edith Walden of Guemes Island shared that information on the planning efforts for Guemes Island had been published in the community newsletter, The Guemes Tide, had been posted on the Guemes Community Facebook page, and had broad support from those who lived on the Guemes Island. She did not think that the proposed changes should be a surprise to anyone living on Guemes Island.

Ginger Orsini of Guemes Island shared that the GIPAC planning process had been very long and inclusive. She said that GIPAC had been voted into place, worked hard to include everyone and also to find balance between competing ideas. She said the process was long, serious, discussed, studied, and even had been supported by grants over the last 20 years. She supported GIPAC's community plan.

Hal Rooks of Guemes Island and a GIPAC member wished to clarify that GIPAC's development proposals were within normal parameters and had been met about and discussed at length. He shared that GIPAC's meetings were advertised, posted on the bulletin board at the ferry dock and posted online at the website linetime.org. He said that GIPAC worked to address building concerns and the proposals were supported by the Skagit County Planning Commission.

Kit Harma of Guemes Island commented on the planning efforts and recommendations made by GIPAC and expressed that he was surprised that GIPAC's recommendations had taken others by surprise.

Max Benjamin of Guemes Island shared reasons why he located his family to Guemes Island in 1959 and he encouraged the Commissioners to decide carefully on the amendments to the comprehensive plan and to honor the island.

Michael and JoAnne Gray of Guemes Island expressed concerns about the proposal from GIPAC, supported comments made by Mr. Madden and Ms. Neilson, and suggested that for issues as large as the comprehensive plan amendments, information be mailed to property owners as they did not see the information posted online or on the bulletin board.

La Conner Mayor Ramon Hayes expressed support for non-motorized trails and said that he had seen positive economic impacts in La Conner from additional walking and biking opportunities. He said that there were positive economic components of trails.

Liz McNett Crowl of Mount Vernon expressed support for the proposed language of the non-motorized plan and trails that connected communities, supported visitors, conserved open space, and sustained fish and wildlife habitats.

William Dunlap of Mount Vernon expressed support for safe, non-motorized

transportation and he encouraged the Commissioners to move forward with the open space and non-motorized portions of the Comprehensive Plan.

Carol Ehlers of Fidalgo Island expressed concerns regarding the review of the 394 page Comprehensive Plan and said that it also needed to be compared for consistency to other plans.

Tim Manns of Mount Vernon was present representing the Skagit Audubon Society and said that their membership supported the open space and non-motorized trails.

Joan Melcher of Mount Vernon said that she was involved with the Skagit Audubon Society and the Skagit Whatcom Island Trail Maintenance Organization. She talked about the benefits experienced by trail users and the revenue captured by Skagit County when people visited from out-of-town. She asked the Commissioners to pass the open space and non-motorized trail plans.

Molly Doran of Mount Vernon and Executive Director of Skagit Land Trust talked about community support for non-motorized trails and open space and encouraged their adoption.

Glenn McGoff of Sedro-Woolley had signed up to speak but was not present to speak when called upon.

Lewis Nutter of Mount Vernon had signed up to speak but was not present to speak when called upon.

Ginny Darvill of Mount Vernon provided comments on the value of open space and trails and asked the Commissioners to support open space and trail plans.

Ken Fritsch of Sedro-Woolley provided comments on code compliance matters and concerns about the junk vehicle Ordinance, saying that 500 square feet to store "junk" was not enough for his business to operate.

Ellen Bynum of Mount Vernon of Friends of Skagit County discussed concerns about whether the proposed Comprehensive Plan had been reviewed for concurrency (for example with applicable RCWs, WACs, the Growth Management Act, and other plans), that 24 trailing issues had not been addressed or clarified, and she suggested ideas for the appendices and definitions.

Brian Lipscomb of Sedro-Woolley commented on Auditor's recording fees, water rights, and the degree of difficulty one would have to read the entire Comprehensive Plan and make recommendations and decisions.

Ann Winkes of Conway expressed her support for the identification and protection of open space corridors and she also supported the re-inclusion of the non-motorized transportation projects in the plan. She talked about the benefits of playing outdoors and supporting walking and bicycling trails.

Linda Talman of La Conner expressed how walking and bicycling paths were value-added features and that they should be included in the Comprehensive Plan.

Marie Erbstoeszler of Mount Vernon discussed the importance of exercising and access to healthy activities. She encouraged adopting a plan that included the 20-year list of non-motorized projects, and, supported modifying proposed policy 2B-1.3 which addressed the protection of open space corridors.

Christopher Freitas of Mount Vernon expressed his support for the inclusion of the non-motorized transportation projects in the Comprehensive Plan and encouraged shoulder widening where trails could not be located.

Belinda Rotton chose not to provide comments when called upon.

Gary Hagland of Anacortes and of the Citizens Alliance of Property Rights thanked the Planning Commission for their work to review and provide recommendations on the Comprehensive Plan. Next, he provided comments on widening shoulders for biking and

additional trail projects, saying that shoulder expansion was usually limited due to drainage considerations, and that trail projects were expensive and that trail users were not always considerate of adjoining private property.

Chair Janicki announced that they had heard from those who signed up to speak and made a last call to hear any additional speakers.

Ed Stauffer of the Alger area provided additional perspective to the Commissioners about the creation of the Growth Management Act and comprehensive planning. He also provided comments about things to consider when trails are built and maintained at public's expense.

Josh Axthelm, Chair of the Planning Commission, thanked the public for their input and said that he appreciated hearing the "for and against" sides of issues. He said that the Planning Commission looked for considerate solutions to complicated matters and he explained why the Planning Commission decided to remove non-motorized trails from the Comprehensive Plan.

Chair Janicki thanked Mr. Axthelm and asked Mr. Pernula to review the next steps planned for the Commissioners consideration of the Comprehensive Plan.

Mr. Pernula said that written testimony was being accepted until 4:30 p.m. on June 23, 2016, and, the Commissioners were scheduled to make their decision on June 30, 2016.

IV. DISCUSSION CONSENT ITEMS:

Emergency Medical Services Director Mark Raaka provided additional information on Consent Agenda item no. 3.

Developmental Disability Program Coordinator Kristin Ekstran provided additional information on Consent Agenda item numbers 11 and 13.

Human Services Manager Rebecca Clark provided additional information on Consent Agenda item no. 12.

Water Resources Assistant Section Manager Jan Flagan provided additional information on Consent Agenda item no. 15.

V. CONSENT AGENDA FOR MONDAY, JUNE 20, 2016 (items 1 through 17):

A motion was made by Commissioner Wesen to approve Consent Agenda items 1 through 17, Ratification Agenda items 18 and 19, vouchers and warrants for Monday, June 20, 2016. Commissioner Dahlstedt seconded the motion.

The vote passed unanimously.

a) COMMISSIONERS:

1. Record of the Proceedings for Monday, June 13, 2016. **(Approved)**
2. Record of the Proceedings for Tuesday, June 14, 2016. **(Approved)**

b) EMERGENCY MEDICAL SERVICES:

3. Amendment No. 4 to Personal Services Agreement No. C20140640 with City of Anacortes for the provision of trauma and verified ambulance services 24 hours per day/7 days per week. This Amendment adds provisions to Section 5 - Treatment of Assets and Property, regarding equipment purchased by the City and reimbursed in whole or in part by the County for the provision of emergency medical services. This Amendment also increases compensation up to \$208,000 for the reimbursement of the purchase of an ambulance, and, adds paragraph 8. regarding the receipt of a surplus ambulance from the City at no cost to Skagit County. The term remains the same, ending December 31, 2018. All other terms and condition of the original Agreement and subsequent Amendments remain the same. **(Amendment No. A20160079)**

c) FACILITIES:

4. Amendment No. 1 to Personal Services Agreement No. C20150289 with GeoTest Services, Inc. to provide special inspection and materials testing services as directed and described in attachment Exhibit A-1" for the new Skagit County Jail project located at the northeast corner of Old Hwy 99 S & Suzanne Lane, Mount Vernon. In addition, the contractor shall provide special inspection and materials testing services as directed during the County's site remedial action project at the same location. This Amendment increases compensation by \$89,500 for additional costs associated with the ground improvement phase and inspections. The term remains the same and shall continue through December 31, 2017. Total compensation shall not exceed \$279,500. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20160080)**
5. Personal Services Agreement with HKP Architects to update the existing Facilities Annual Report: Programming & Master Planning Analysis, to include the addition of other county-operated facilities that are not yet part of the document and studies related to the repurposing of the Public Safety Building. The Agreement shall commence upon the date of execution and shall continue until June 30, 2017. Compensation shall not exceed \$36,500 and is based on an hourly rate schedule. **(Contract No. C20160258)**

d) INFORMATION SERVICES:

6. Interlocal Agreement with Skagit Hospice Foundation (DBA Hospice of the Northwest Foundation) for 100 hours of audio-visual production services. The Agreement shall commence on the date of execution and continue until the completion of 100 hours of audio-visual production services. Compensation from Skagit Hospice Foundation shall not exceed \$10,000 and is based on a production schedule. **(Contract No. C20160259)**
7. Amendment No. 1 to Vendor Services Agreement No. C20150435 with Telmate, LLC to provide telephone service for all inmate telephones located at the Skagit County's designated sites. This Amendment reduces collection fees and rates for the inmate phone system required by the Federal Communications Commission. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20160081)**

e) PUBLIC HEALTH:

8. Amendment No. 3 to Personal Services Agreement No. C20150260 with Service Alternatives Inc., to provide "Pathways to Employment" and "Community Access" services to eligible individuals with developmental disabilities. The purpose of this Amendment is to increase funding from \$128,924 to \$138,924 due to the additional number of clients and hours served and the availability of state funds. The term remains the same, ending June 30, 2016. Compensation to Skagit County is received by the Washington State Department of Social and Health Services (DSHS) through the Developmental Disabilities Administration. All other terms and conditions of the original Agreement and subsequent Amendments shall remain the same. **(Amendment No. A20160082)**
9. Amendment No. 4 to Personal Services Agreement No. C20150260 with Service Alternatives Inc., to provide "Pathways to Employment" and "Community Access" services to eligible individuals with developmental disabilities. The purpose of this Amendment is to extend the term of the Agreement by one year, ending June 30, 2017, and increase funding from \$138,924 to \$201,515. Compensation to Skagit County is received by the Washington State Department of Social and Health Services (DSHS) through the Developmental Disabilities Administration. All other terms and conditions of the original Agreement and subsequent Amendments shall remain the same. **(Amendment No. A20160083)**
10. Interlocal Cooperative Agreement with North Sound Behavioral Health Organization (NSBHO) to provide funding for a staff person to attend the 2016 National School-Based Health Care Convention in Arlington, VA. The Agreement shall commence on the date of execution and ends on August 30, 2016. Compensation to NSBHO shall not exceed

\$3,500. **(Contract No. C20160260)**

11. Interlocal Cooperative Agreement with Whatcom County to ensure that eligible clients of the Developmental Disabilities Administration have access to qualified providers. The Agreement shall commence on July 1, 2016, and end on June 30, 2017. The county of an eligible client's residence agrees to reimburse the county providing the service for payments made when the client's minimum service levels have been provided. Payments shall be fee for service based on an hourly rate. Skagit and Whatcom Counties each agree to pay up to \$20,000 for client services. **(Contract No. C20160261)**
12. Interlocal Agreement with North Sound Behavioral Health Organization for Regional Behavioral Health Facilities Planning to identify future service levels, treatment program needs, and required facilities to provide services. The Agreement shall commence on the date of execution and continue for three years. **(Contract No. C20160262)**
13. Interlocal Cooperative Agreement with Mount Vernon School District to provide support to the Special Education parent group for families and students in special services. The Agreement shall commence on July 1, 2016, and continue until June 30, 2017. Compensation shall not exceed \$15,000 (\$7,500 per semester). **(Contract No. C20160263)**

f) PUBLIC WORKS:

14. Amendment No. 2 to Personal Services Agreement No. C20150506 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. This Amendment extends the contract from June 30, 2016, to December 31, 2016 to continue the design of the Freestad Lake Barrier Lagoon Restoration project. Compensation remains the same and shall not exceed \$320,485 which is 50% funded by the Rose Foundation and 50% by the Skagit County Clean Water Fund. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20160084)**
15. Vendor Services Agreement with Brett Engholm Trucking to provide the service of hauling logs to various sites around the county for large drainage/fish habitat projects. The Agreement shall commence on the date of execution and continue until December 31, 2018. Compensation shall not exceed \$12,000 which is based on an hourly rate schedule. **(Contract No. C20160264)**

g) RISK MANAGEMENT:

16. Personal Services Agreement with Bob Graham, SAFER, to provide verbal de-escalation training for county employees. The Agreement shall commence on the date of execution and continue until December 31, 2016. Compensation shall not exceed \$10,000 and is based on a rate schedule. **(Contract No. C20160265)**

h) SUPERIOR COURT:

17. Program Agreement with the Washington Department of Social and Health Services (DSHS), Division of Child Support to engage the services of a Court Commissioner to ensure that all Title IV-D child support cases are processed with priority in a manner sufficient to meet all relevant program standards and time frame requirements. The agreement shall commence on July 1, 2016, and shall continue through June 30, 2021. Skagit County receives federal and state reimbursement based on an established formula created by DSHS. **(Contract No. C20160266)**

VI. RATIFICATION AGENDA (items 18 and 19):

i) PUBLIC WORKS:

18. Resolution authorizing the ratification of a Personal Services Agreement with Herrera Environmental Consultants, Inc. to complete the final design for the Hansen Creek Reach 5 Restoration Project. In order to provide additional, and adequate, time for the project to be completed, a new Agreement needs to be executed to complete the final design of the project. **(Resolution No. R20160165)**

19. Personal Services Agreement with Herrera Environmental Consultants, Inc. to complete the final design for the Hansen Creek Reach 5 Restoration Project. The Agreement commenced on April 1, 2016, and shall continue until December 31, 2016. Compensation shall not exceed \$62,111, is based on a rate schedule, and is grant-funded through the Washington State Recreation and Conservation Office pursuant to Skagit County Contract No. C20140118. **(Contract No. C20160267)**

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 \$301,464.31 (Transmittal No. C-78-16); and
 - b) Warrants numbered 443531 through 443843 from Clearing Fund 696 in the total dollar amount of \$5,784,205.20 (Transmittal No. C-79-16); and
 - c) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$126,009.19 (Transmittal No. C-80-16); and
 - d) ACH Transfer Request Form and Certification to Delta Dental from Clearing Fund 696 in the total dollar amount of \$6,416.30 (Transmittal No. C-81-16).

VIII. **MISCELLANEOUS AGENDA (item 1):**

a) **FACILITIES MANAGEMENT:**

1. Amendment No. 5 to Personal Services Agreement No. C20140251 with Maul Foster Alongi, Inc. to provide additional environmental services related to the environmental investigation and cleanup action plan of the Truck City Site located at 3216 Old Highway 99 South, Mount Vernon. This Amendment adds additional environmental services as outlined in Exhibit A, and increases compensation by \$46,000. Total compensation shall not exceed \$703,487. All other terms and conditions of the original Agreement and subsequent Amendments shall remain in effect. **(Amendment No. A20160085)**

Facilities Director Dan Fitting presented the miscellaneous item to the Commissioners and answered questions.

A motion was made by Commissioner Wesen to approve Amendment No. 5 to Personal Services Agreement No. C20140251 with Maul Foster Alongi, Inc. Commissioner Dahlstedt seconded the motion.

The vote passed unanimously.

Chair Janicki recessed the proceedings at 1:45 p.m.

IX. **ADJOURNMENT:**

Chair Janicki adjourned the proceedings at 7:41 p.m.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Lisa Janicki, Chair

Ron Wesen, Commissioner

Kenneth A. Dahlstedt, Commissioner

ATTEST:

Clerk of the Board