

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
TUESDAY, JULY 5, 2016**

The Skagit County Board of Commissioners met in regular session on Tuesday, July 5, 2016, with Chair Lisa Janicki, Commissioner Ron Wesen, and Commissioner Kenneth A. Dahlstedt present.

I. CALL TO ORDER:

Commissioner Dahlstedt called the proceedings to order at 11:30 a.m. and excused Chair Janicki who was attending another meeting.

II. PLEDGE OF ALLEGIANCE:

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

III. AGENDA

a) *8:00 a.m. - 8:30 a.m. Bi-Weekly Work Session - Public Works Department

b) *8:30 a.m. - 9:30 a.m. Briefing - County Administrator, Planning and Development Services, Public Health, and Emergency Medical Services

c) *9:30 a.m. - 10:30 a.m. Executive Session (Potential Litigation - RCW 42.30.110(1)(i))

The Commissioners attended an executive session on Tuesday, July 5, 2016, from 9:30 a.m. to 10:25 a.m., the purpose of the executive session was Potential Litigation - RCW 42.30.110(1)(i). (Matters relating to County enforcement actions, actual litigation, or potential litigation.) The following attorneys were present and provided legal advice to the Board of County Commissioners: Prosecutor Rich Weyrich, Chief Civil Deputy Prosecuting Attorney Melinda Miller and Civil Deputy Prosecuting Attorney Will Honea. Other attendees included: Skagit County Administrator Tim Holloran, Director of Planning and Development Services Dale Pernula and Assistant Director of Planning and Development Services Ryan Walters.

d) *10:30 a.m. - 11:00 a.m. Executive Session (Potential Litigation - RCW 42.30.110(1)(i))

The Commissioners attended an executive session on Tuesday, July 5, 2016, from 10:30 a.m. to 11:00 a.m., the purpose of the executive session was Potential Litigation - RCW 42.30.110(1)(i). (Matters relating to County enforcement actions, actual litigation, or potential litigation.) The following attorneys were present and provided legal advice to the Board of County Commissioners: Prosecutor Rich Weyrich, Chief Civil Deputy Prosecuting Attorney Melinda Miller and Senior Deputy Prosecuting Attorney Arne Denny. Other attendees included: Skagit County Administrator Tim Holloran, Director of Human Resources/Risk Jessica Neill Hoyson, Director of Public Works Dan Berentson and Engineer Paul Randall-Grutter.

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

1. County and Individual Success Stories

No one was present for County and Individual Success Stories.

2. Public Comment Period

No one was present for Public Comment Period.

3. Miscellaneous Announcements

Commissioners Dahlstedt and Wesen commented on the 4th of July holiday and the meeting they attended on Sinclair Island with residents on July 2, 2016.

Commissioner Dahlstedt recessed the proceedings at 11:33 a.m.

- f) 1:30 p.m. - 2:00 p.m. Consent Agenda, Vouchers, Warrants and Miscellaneous Items
- g) 2:00 p.m. - 2:30 p.m. Jail Construction Update

Chair Janicki reconvened the proceedings at 2:02 p.m.

Project Manager Marc Estvold provided additional information on upcoming change orders and presented Amendment No. 4 to AIA Document B103 - 2007 Standard Form of Agreement, Contract No. C20140269, with DLR Group for the design and construction management of the new Skagit County Jail facility.

The Commissioners asked for more information on the bio-filtration dewatering and retention pond and Mr. Estvold showed photographs taken at the jail site of current construction.

A motion was made by Commissioner Dahlstedt to approve approve Amendment No. 4 to AIA Document B103 - 2007 Standard Form of Agreement, Contract No. C20140269, with DLR Group for the design and construction management of the new Skagit County Jail facility. **(Amendment No. A20160098)** Commissioner Wesen seconded the motion.

The vote passed unanimously.

IV. CONSENT AGENDA ITEMS FOR FURTHER DISCUSSION:

Chair Janicki reconvened the proceedings at 1:30 p.m. and announced that Consent Agenda item No. 5 would be considered at 2:00 p.m. during the Jail Construction Update. Parks, Recreation and Fair Director Brian Adams provided additional information on Consent Agenda item No. 9. He added that a community meeting was being planned on July 27th in Marblemount regarding the Presentin Project. Human Services Manager Rebecca Clark, and Services Division Director Lynn Christofersen of Community Action of Skagit County provided additional information on Consent Agenda item No. 40. Operations Manager Bob Hicks was unable to attend Consent Agenda. Chair Janicki read some information he provided regarding Consent Agenda item No. 16. Transfer Station Manager Eddie Nersten provided additional information on Consent Agenda item No. 20. Engineer Paul Randall-Grutter provided additional information on Consent Agenda item numbers 21 and 22.

V. CONSENT AGENDA FOR TUESDAY, JULY 5, 2016 (items 1 through 26):

A motion was made by Commissioner Wesen to approve Consent Agenda items 1 through 4, 6 through 26, Ratification Agenda items 27 through 44, vouchers and warrants for Tuesday, July 5, 2016. Commissioner Dahlstedt seconded the motion.

The vote passed unanimously.

a) COMMISSIONERS:

1. Record of the Proceedings for Monday, June 27, 2016. **(Approved)**
2. Record of the Proceedings for Tuesday, June 28, 2016. **(Approved)**
3. Resolution appointing Joan Lubbe to a three (3) year term on the North Sound Behavioral Health Organization Advisory Board, effective August 1, 2016 and expiring July 31, 2019. **(Resolution No. R20160179)**

b) BUDGET AND FINANCE:

4. Resolution setting statutory dates related to the adoption of the 2017 Skagit County Budget. **(Resolution No. R20160180)**

c) FACILITIES:

- 5.

Amendment No. 4 to AIA Document B103 - 2007 Standard Form of Agreement with DLR Group for the design and construction management of the new Skagit County Jail facility. The purpose of this Amendment is to amend Article 4.1 to include a feasibility study to add a roof canopy to include construction and permit documents for the vehicular sally port, coordinate and resolve environmental site mitigation issues, provide potential solutions for routing of utilities and site development in the northwest portion of the site. This Amendment also amends Article 11.2 to update compensation in the amount of \$62,432.50 for the additional services. Total compensation shall not exceed \$3,653,361.50. All other terms and conditions of the original Agreement and subsequent Amendments shall remain in effect including the termination date of February 1, 2017. **(Item pulled from Consent Agenda in order to be considered at 2:00 p.m. during the Jail Construction Update)**

d) HUMAN RESOURCES:

6. Personal Services Agreement with Lynch Associates to provide various customer service trainings for Skagit County employees as requested by the Human Resources Department Director. The Agreement shall commence on the date of execution and continue until July 1, 2017. Compensation shall not exceed \$24,000 and is based on a rate schedule. **(Contract No. C20160286)**

e) OFFICE OF JUVENILE COURT:

7. Amendment No. 2 to Personal Services Agreement No. C20150137 with Volunteers of America to be the designated organizational unit administering the Victim Offender Meeting Program. The purpose of this Amendment is to increase the maximum amount of compensation allowed under the Agreement from \$12,442 to \$18,000. This increase was budgeted for in order to address the end of the Byrne Grant funding. The term remains the same and shall continue until December 31, 2016. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20160090)**
8. Interlocal Cooperative Agreement with the Burlington-Edison School District to jointly fund the BECCA Case Manager position to serve the School Districts and the Skagit County Office of Juvenile Court in implementing the truancy portion of the BECCA Bill as outlined by RCW and WAC. The Agreement shall commence on September 1, 2016, and continue through August 31, 2017. Compensation to Skagit County shall not exceed \$5,071. **(Contract No. C20160287)**

f) PARKS, RECREATION AND FAIR:

9. Personal Services Agreement with Eccos Design, LLC to provide services related to planning and development of parks in fulfilling the objectives of the Skagit County Parks and Recreation Comprehensive Plan. The Agreement shall commence on the date of execution and continue until December 31, 2017. Compensation shall not exceed \$30,000 and is based on an hourly rate. **(Contract No. C20160288)**
10. Vendor Services Agreement with Dahl Electric, Inc. to provide electrical services, including troubleshooting, repair and replacement of electrical components that include power sources, lighting switches and relays, drainage pumps, electrical motors, generators, outdoor/building light repair and electrical infrastructure in County Parks and Fairgrounds. The Agreement shall commence on the date of execution and continue for one year. Compensation shall not exceed \$9,500 and is based on an hourly rate schedule and material compensation cost schedule. **(Contract No. C20160289)**
11. Personal Services Agreement with Louie Foxx, LLC to perform magic and juggling acts at the Skagit County Fair in August. The Agreement shall commence on August 10, 2016, and continue until August 11, 2016. Compensation shall not exceed \$1,750 and is based on a rate schedule. **(Contract No. C20160290)**
12. Vendor Services Agreement with Greenshield Systems, LLC to design and install a sports turf drainage system on Walberg Field at Skagit Playfields in Mount Vernon. The Agreement shall commence on the date of execution and continue for one year. Compensation shall not exceed a maximum of \$65,043. **(Contract No. C20160291)**

g) PUBLIC HEALTH:

13. Personal Services Agreement with Arrestling to provide training for Advanced Skagit County Crisis Intervention Team Training. The Agreement shall commence on the date of execution and continue until December 31, 2016. Compensation shall not exceed a total of \$3,800 for the two-day training occurring on September 12 and 13, 2016. **(Contract No. C20160292)**
14. Personal Services Agreement with Edgework Crisis Intervention Resources PLLC to provide training for Advanced Skagit County Crisis Intervention Team Training. The Agreement shall commence on the date of execution and continue until December 31, 2016. Compensation shall not exceed a total of \$3,800 for the two-day training occurring on September 12 and 13, 2016. **(Contract No. C20160293)**
15. Amendment No. 1 to Personal Services Agreement No. C20150488 with Phoenix Recovery Services to provide short term funding assistance to individuals and families who are homeless. This Amendment increases compensation by \$20,000 due to an increase in enrollment in the Housing and Recovery through Peer Supports (HARPS) program. Funding is limited to an average of \$1,500 per individual or family unit. The term remains the same, continuing until December 31, 2016. Total compensation shall not exceed \$40,000. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20160091)**
16. Community Development Block Grant Program, Planning-Only Grant Agreement with the Washington State Department of Commerce, Contract No. 15-62210-047 for planning services through Skagit Council of Governments to develop crucial planning services for the implementation of housing strategies for low-to-moderate housing projects. The Agreement shall commence on the date of execution and continue until June 30, 2018. Compensation to Skagit County from the Department of Commerce, through the U.S. Department of Housing and Urban Development (HUD) shall not exceed \$24,000. **(Contract No. C20160294)**
17. Personal Services Agreement with Washington Vocational Services to enable persons with developmental disabilities and their parents/guardians to become effective and involved in accessing community services in Skagit County. The Agreement shall commence on August 1, 2016, and continue until June 30, 2017. Compensation shall not exceed a total of \$10,000. **(Contract No. C20160295)**
18. Personal Services Agreement with Washington Vocational Services to provide improved transition outcomes through the Developmental Disabilities Advisory Board. The Agreement shall commence on August 1, 2016, and continue until June 30, 2017. Compensation shall not exceed a total of \$16,000. **(Contract No. C20160296)**
19. Amendment No. 8 to Consolidated Contract with the State of Washington Department of Health Contract No. C17124, Skagit County Contract No. C20140646, for the delivery of public health services as described in Exhibit "A", Statement of Work. This Amendment increases funding by \$700 for the amended Statements of Work for the Office of Drinking Water and Recreational Shellfish Activities. Compensation to Skagit County shall not exceed \$888,318. All other terms and conditions of the original Agreement and subsequent Amendments shall remain in effect including the termination date of December 31, 2017. **(Amendment No. A20160092)**

h) PUBLIC WORKS:

20. Resolution regarding the sale of surplus assorted compactor parts to Island County in the amount of \$30,000 per RCW 36.34.130. **(Resolution No. R20160181)**
21. Funding Agreement with the Blanchard Quiet Zone LLC, per Resolution No. R20150318, for the creation of four railroad quiet zones. The Blanchard Quiet Zone LLC agrees to fund necessary supplemental safety measures that may be needed at each railroad crossing in order to establish each quiet zone. The Agreement shall commence on the date of execution and continue until December 31, 2018. Compensation to Skagit County is estimated to be \$17,909. **(Contract No. C20160297)**
- 22.

Notice of Intent Letter dated July 5, 2016 to the Federal Railroad Administration pursuant to the "Train Horn Rule" as published in the Federal Registrar, (49 CFR Part 222), on April 27, 2005, to create the "Blanchard Quiet Zone" which consists of four railroad crossings. **(Contract No. C20160298)**

23. Amendment No. 1 to Interagency Agreement No. K1750 with the Washington State Department of Agriculture, Skagit County Contract No. C20150475, to provide funding to perform work to control invasive knotweed species on the Skagit River and associated tributaries within Skagit County. This Amendment increases compensation by \$6,000 to accomplish Knotweed control activities described in the Plan of Work. The term remains the same, ending June 30, 2017. Compensation to Skagit County shall not exceed \$21,000. **(Amendment No. A20160093)**
24. Amendment No. 1 to Vendor Services Agreement No. C20150267 with Northwest Aquatic Eco-Systems to provide aquatic surveys and lake treatment services to manage invasive and nuisance aquatic vegetation for Lake Management District No. 3 (LMD 3) at Lake Erie and Lake Campbell. The control strategy identified in the scope of work for this contract is consistent with the goals established in the Lake Erie and Lake Campbell Integrated Aquatic Vegetation Management Plan and includes: lake surveys, annual herbicide treatments, and map procurement. This Amendment increases compensation by \$7,696.80 to allow the contractor to treat the unexpected increased infestation of invasive Eurasian watermilfoil and prevent further spread. The term remains the same, ending May 31, 2017. Compensation shall not exceed \$40,400 and is funded by annual assessments collected from the residents of LMD 3. All other terms and conditions of the original agreement shall remain in effect. **(Amendment No. A20160094)**

i) SHERIFF:

25. Interagency Agreement between U.S. Immigration and Customs Enforcement, Enforcement and Removal Operations and Skagit County Interlocal Drug Enforcement Unit to provide Enforcement and Removal Operations participation in the Skagit County Interlocal Drug Enforcement Unit Task Force. The Agreement shall commence on the date of execution and continue until terminated. There is no monetary compensation associated with this Agreement. **(Contract No. C20160299)**
26. Interagency Agreement with the Washington State Patrol to support a federal grant for domestic cannabis eradication/suppression. The Agreement commenced on July 1, 2016, per Resolution No. R20070294, and shall continue until September 30, 2016. Compensation to Skagit County shall not exceed \$16,500. **(Contract No. C20160300)**

VI. RATIFICATION AGENDA (items 27 through 44):

j) EMERGENCY MEDICAL SERVICES:

27. Resolution authorizing the ratification of a Personal Services Agreement with T.J. Bishop to conduct instructor evaluations of three EMS instructors throughout the Advanced Medical Life Support Course for certification. Development of terms and scope of work delayed finalization of the Agreement before June 1, 2016. **(Resolution No. R20160182)**
28. Personal Services Agreement with T.J. Bishop to conduct instructor evaluations of three EMS instructors throughout the Advanced Medical Life Support Course for certification. The Agreement commenced on June 1, 2016, and shall continue until June 30, 2016. Total compensation shall not exceed \$3,500. **(Contract No. C20160301)**
29. Resolution authorizing the ratification of a Personal Services Agreement Norma Pancake to conduct instructor evaluations of four EMS instructors throughout the Tactical Combat Casualty Course for certification. Development of terms and scope of work delayed finalization of the Agreement before May 1, 2016. **(Resolution No. R20160183)**
30. Personal Services Agreement with Norma Pancake to conduct instructor evaluations of four EMS instructors throughout the Tactical Combat Casualty Course for certification. The Agreement commenced on May 1, 2016, and shall continue until May 31, 2016. Total compensation shall not exceed \$1,200. **(Contract No. C20160302)**

k) PROSECUTING ATTORNEY:

31. Resolution authorizing the ratification of a Personal Services Agreement with Personal Services Agreement with John B. Powell, Ph.D. to provide expert witness services and testimony in the matter of the State of Washington v. Jason A. Becktel, Skagit County Superior Court Cause No. 15-1-0003-8. The Agreement could not be executed prior to commencement of services due to the need to review records in the matter. **(Resolution No. R20160184)**
32. Personal Services Agreement with John B. Powell, Ph.D. to provide expert witness services and testimony in the matter of the State of Washington v. Jason A. Becktel, Skagit County Superior Court Cause No. 15-1-0003-8. The Agreement commenced on June 9, 2016, and shall continue until July 31, 2017. Compensation shall not exceed \$5,000 and is based on a rate schedule. **(Contract No. C20160303)**

l) PUBLIC HEALTH:

33. Resolution authorizing the ratification of an Amendment No. 1 to Interlocal Cooperative Agreement No. C20160163 with the Snohomish Health District to provide support in the production of a Secondary Indicator Report based on known data points that are widely understood to represent a cross sample of information to measure the quality of health. This information will be used for work being done by the Population Health Trust. Ratification of the Agreement is necessary since services commenced on January 1, 2016, not "date of execution" which was written in the Interlocal Agreement. **(Resolution No. R20160185)**
34. Amendment No. 1 to Interlocal Cooperative Agreement No. C20160163 with the Snohomish Health District to provide support in the production of a Secondary Indicator Report based on known data points that are widely understood to represent a cross sample of information to measure the quality of health. This information will be used for work being done by the Population Health Trust. This Amendment revises the term of the Agreement to commence from January 1, 2016, through June 30, 2016. Compensation remains the same to the Snohomish Health District and shall not exceed \$7,200. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20160095)**
35. Resolution authorizing the ratification of Amendment No. 1 to County Program Agreement No. C20150343 with the Washington State Department of Social & Health Services, No. 1563-43216, to provide services for individuals with developmental disabilities. Receipt of contract and review of provisions delayed execution before July 1, 2016. **(Resolution No. R20160186)**
36. Amendment No. 1 to County Program Agreement No. C20150343 with the Washington State Department of Social & Health Services, No. 1563-43216, to provide services for individuals with developmental disabilities. This Amendment commenced on July 1, 2016 and increases compensation by \$1,671,490, revises Section 7, 8, and 9 of Exhibit B, and extends the duration by one year, ending June 30, 2017. Compensation to Skagit County shall not exceed \$3,297,126. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20160096)**
37. Resolution authorizing the ratification of a Personal Services Agreement with SPARC to provide outreach, information and referral, and support to Skagit County Families, local service professionals, and the general public in order to raise awareness about children with special health care needs and disabilities. Receipt of contract and review of provisions delayed execution before July 1, 2016. **(Resolution No. R20160187)**
38. Personal Services Agreement with SPARC to provide outreach, information and referral, and support to Skagit County Families, local service professionals, and the general public in order to raise awareness about children with special health care needs and disabilities. The Agreement commenced on July 1, 2016, and shall continue until June 30, 2017. Total compensation shall not exceed \$26,000. **(Contract No. C20160304)**
39. Resolution authorizing the ratification of a Personal Services Agreement with Community Action of Skagit County to provide management and programming services

support to the Concrete Center. Receipt of contract and review of provisions delayed execution before July 1, 2016. **(Resolution No. R20160188)**

40. Personal Services Agreement with Community Action of Skagit County to provide management and programming services support to the Concrete Center. The Agreement commenced on July 1, 2016, and shall continue until December 31, 2017. Total compensation shall not exceed \$153,000. **(Contract No. C20160305)**

m) PUBLIC WORKS:

41. Resolution authorizing the ratification of Amendment No. 1 to Personal Services Agreement No. C20160267 with Herrera Environmental Consultants, Inc. to complete the final design for the Hansen Creek Reach 5 Restoration Project. The Amendment needs to be ratified since the effective date is April 1, 2016. **(Resolution No. R20160189)**
42. Amendment No. 1 to Personal Services Agreement No. C20160267 with Herrera Environmental Consultants, Inc. to complete the final design for the Hansen Creek Reach 5 Restoration Project. The effective date of this Amendment is April 1, 2016 and is needed to replace an incorrect rate table that was inadvertently included with the Agreement. Compensation remains the same, and 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. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20160097)**

n) SHERIFF:

43. Resolution authorizing the ratification of an Interlocal Cooperative Agreement with Whatcom County Parks and Recreation to provide use of the Plantation Rifle Range to the Sheriff's Patrol and Correctional staff. The Agreement was only recently received from Whatcom County due to the necessity for the Plantation Rifle Range to finalize their budget. **(Resolution No. R20160190)**
44. Interlocal Cooperative Agreement with Whatcom County Parks and Recreation to provide use of the Plantation Rifle Range to the Sheriff's Patrol and Correctional staff. The Agreement commenced on January 1, 2016, and will continue through December 31, 2016. Compensation shall not exceed a total of \$9,460 for 15 sessions. Additional days, if any, to be mutually agreed upon and paid within 30 days. **(Contract No. C20160306)**

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 \$90,873.87 (Transmittal No. C-84-16); and
 - b) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$140,582.70 (Transmittal No. C-85-16); and
 - c) ACH Transfer Request Form and Certification to Delta Dental from Clearing Fund 696 in the total dollar amount of \$57,215.21 (Transmittal No. C-86-16); and
 - d) Warrants numbered 444237 through 444731 from Clearing Fund 696 in the total dollar amount of \$7,571,645.83 (Transmittal No. C-87-16).

VIII. ADJOURNMENT:

Chair Janicki adjourned the proceedings shortly before 2:30 p.m.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Lisa Janicki, Chair

Ron Wesen, Commissioner

Kenneth A. Dahlstedt, Commissioner

ATTEST:

Clerk of the Board