

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, NOVEMBER 28, 2016**

The Skagit County Board of Commissioners met in regular session on Monday, November 28, 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 - Commissioners/County Administrator with Planning and Development Services, Parks, Recreation and Fair, and Facilities Management Departments
- b) *9:45 a.m. - 10:15 a.m. Bi-Weekly Work Session - Public Works Department
- c) 1:30 p.m. - 2:30 p.m. Consent Agenda, Vouchers, Warrants and Miscellaneous Items
- d) *3:00 p.m. - 4:00 p.m. Executive Session (Litigation - RCW 42.30.110(1)(i))

Chair Lisa Janicki, Commissioner Ron Wesen, and Commissioner Kenneth A. Dahlstedt attended an executive session on Monday, November 28, 2016, from 3:08 p.m. to 3:55 p.m. The topic of the executive session was Litigation - RCW 42.30.110(1)(i). (Matters relating to County enforcement actions, actual litigation, or potential litigation.) The following attorneys were present at the executive session and gave legal advice to the Board of County Commissioners: Prosecutor Rich Weyrich, Chief Civil Deputy Prosecuting Attorney Melinda Miller, and Senior Civil Deputy Prosecuting Attorney Will Honea. Other attendees: County Administrator Tim Holloran.

IV. CONSENT AGENDA ITEMS FOR FURTHER DISCUSSION:

Public Defender Director Keith Tyne provided additional information about Consent Agenda item no. 13.

Operations Manager Bob Hicks provided additional information about Consent Agenda item no. 16.

Human Services Manager Rebecca Clark provided additional information about Consent Agenda item nos. 15 and 17.

V. CONSENT AGENDA FOR MONDAY, NOVEMBER 28, 2016 (items 1 through 19):

A motion was made by Commissioner Dahlstedt to approve Consent Agenda items 1 through 19, Ratification Agenda items 20 and 21, vouchers and warrants for Monday, November 28, 2016. Commissioner Wesen seconded the motion.

The vote passed unanimously.

a) COMMISSIONERS:

- 1. Record of the Proceedings for Tuesday, February 17, 2015. **(Approved)**
- 2. Record of the Proceedings for Monday, November 21, 2016. **(Approved)**
- 3. Record of the Proceedings for Tuesday, November 22, 2016. **(Approved)**

b) ASSIGNED COUNSEL:

4. Personal Services Agreement with Jennifer Howson, Attorney at Law, to provide consultation and representation for cases considered to be conflict of interest cases for the Skagit County Public Defender's Office and that have been determined to be within the scope of indigent defense. Case referrals will be from Skagit County Superior Court, Juvenile Court, and District Court. The Agreement shall commence on January 1, 2017, and continue until December 31, 2018. Compensation shall not exceed \$150,000 and is based on an hourly compensation and reimbursement fee schedule. **(Contract No. C20160480)**
5. Personal Services Agreement with Roy Howson, Attorney at Law, to provide consultation and representation for cases considered to be conflict of interest cases for the Skagit County Public Defender's Office and that have been determined to be within the scope of indigent defense. Case referrals will be from Skagit County Superior Court, Juvenile Court, and District Court. The Agreement shall commence on January 1, 2017, and continue until December 31, 2018. Compensation shall not exceed \$150,000 and is based on an hourly compensation and reimbursement fee schedule. **(Contract No. C20160481)**
6. Amendment No. 1 to Personal Services Agreement No. C20150527 with Tom Seguire, Attorney at Law, to provide indigent defense representation to defendants referred by the Office of Assigned Counsel who have been deemed conflict of interest for the Skagit County Public Defender's Office. Case referrals will be from Superior Court, Juvenile Court, and District Court. This Amendment replaces Exhibit "B" Compensation language #1-3 to reflect new hourly compensation rates effective as of January 1, 2017. Compensation remains at an amount not to exceed \$175,000. All other terms and conditions of the original Agreement shall remain in effect including the termination date of December 31, 2018. **(Amendment No. A20160155)**
7. Amendment No. 1 to Personal Services Agreement No. C20160221 with Corbin Volluz, Attorney at Law, to provide consultation and representation relating to cases considered to be conflict of interest cases for the Skagit County Public Defender's Office and have been determined to be within the scope of indigent defense. Case referrals will be from Superior Court, Juvenile Court, and District Court. This Amendment replaces Exhibit "B" Compensation language #1-3 to reflect new hourly compensation rates effective as of January 1, 2017. Compensation remains at an amount not to exceed \$175,000. All other terms and conditions of the original Agreement shall remain in effect including the termination date of December 31, 2018. **(Amendment No. A20160156)**
8. Amendment No. 1 to Personal Services Agreement No. C20150511 with Sharon Fields, Attorney at Law, to provide consultation and representation relating to cases considered to be conflict of interest cases for the Skagit County Public Defender's Office and have been determined to be within the scope of indigent defense. Case referrals will be from Superior Court, Juvenile Court, and District Court. This Amendment replaces Exhibit "B" Compensation language #1-3 to reflect new hourly compensation rates effective as of January 1, 2017. Compensation remains at an amount not to exceed \$175,000. All other terms and conditions of the original Agreement shall remain in effect including the termination date of December 31, 2018. **(Amendment No. A20160157)**
9. Personal Services Agreement with Glen Hoff, Attorney at Law, to provide consultation and representation for cases considered to be conflict of interest cases for the Skagit County Public Defender's Office and that have been determined to be within the scope of indigent defense. Case referrals will be from Skagit County Superior Court, Juvenile Court, and District Court. The Agreement shall commence on January 1, 2017, and continue until December 31, 2018. Compensation shall not exceed \$150,000 and is based on an hourly compensation and reimbursement fee schedule. **(Contract No. C20160482)**

c) INFORMATION SERVICES:

10. Personal Services Agreement with Dude Solutions, Inc. for the Maintenance Edge Software online subscription service to provide the Skagit County Facilities Management Department with a method to track incoming requests and repairs. This software

includes training and ongoing support. The Agreement shall commence on the date of execution and continues until terminated. The software was purchased through a contract with the King County Directors' Association (KCDA) which is a purchasing cooperative owned by Washington's public school districts. The initial year's subscription amount shall not exceed \$17,000, including taxes. After the initial year, the estimated ongoing yearly subscription amount shall not exceed \$10,000. **(Contract No. C20160483)**

11. Personal Services Agreement with David Lowrance for production and support of the Skagit 21 television station. The Agreement shall commence on the date of execution and continue until December 31, 2017. Compensation shall not exceed \$40,000 and is based on a fee schedule. **(Contract No. C20160484)**

d) PARKS, RECREATION AND FAIR:

12. Vendor Services Agreement with Puget Sound Utility Services, Inc. to bore two (2) horizontal holes under Helmick Road, at the location marked and previously inspected. The Agreement shall commence on the date of execution and continue for one year from the date execution. Compensation shall not exceed \$3,800, plus any and all applicable taxes. **(Contract No. C20160485)**

e) PUBLIC DEFENDER:

13. Personal Services Agreement with Geoff McCann to provide consultation and representation for a maximum of thirty-three (33) District Court cases per month, assigned at the discretion of the Skagit County Public Defender's Office, which may include criminal cases and probation violation cases. In addition, contractor will handle every fifth out-of-custody District Court Driving Under the Influence (DUI) arraignment calendar and every fifth out-of-custody non-DUI arraignment calendar. The Agreement shall commence on January 1, 2017, and continue until December 31, 2018. Compensation shall not exceed \$168,000 and is based on a fee schedule. **(Contract No. C20160486)**
14. Personal Services Agreement with Tracy L. Pearson d/b/a Pearson Transcription, LLC to provide legal transcription services. The Agreement shall commence on January 1, 2017, and continue until December 31, 2018. Compensation shall not exceed \$40,000 and is based on fee schedule. **(Contract No. C20160487)**

f) PUBLIC HEALTH:

15. Interlocal Agreement concerning North Sound Behavioral Health Organization, LLC Disbursement for Behavioral Health Facilities with North Sound BHO, LLC, Island County, San Juan County, Snohomish County, Skagit County and Whatcom County to disburse funds to the County for the specific purpose of facility acquisition and construction pursuant to the terms and conditions of the Joint County Authority BHO Interlocal Operating Agreement, dated January 1, 2016. The duration of this Agreement shall be from the date the last party signs it, and it is posted on all parties' websites or is recorded in any county where not posted on county website and shall exist for a period of five (5) years. This Agreement shall be extended for an additional five (5) years unless, at least ninety (90) days prior to the termination of this Agreement or any extension, the parties unanimously agree in writing to terminate its operation. **(Contract No. C20160488)**
16. Interlocal Cooperative Agreement with the Skagit Council of Governments (SCOG) for a Community Development Block Grant (CDBG) Program Planning-Only Grant Agreement for planning services provided by SCOG. The Agreement shall commence on the date of execution and continue until June 30, 2018. Compensation shall not exceed \$24,000 and is funded through a CDBG contract between Skagit County and the Department of Commerce Contract No. 15-62210-047, Skagit County Contract No. C20160294. **(Contract No. C20160489)**
17. Memorandum of Agreement between Northwest Workforce Council and Skagit County Public Health to provide a Host Worksite for the Senior Community Service Employment Program (SCSEP)/Department of Social and Health Services (DSHS) Senior Community Service Employment Program to provide community service opportunity for

participants while they actively pursue employment. The SCSEP is a short-term, training program that prepares participants for employment. The Agreement shall commence on the date of execution and continue until December 31, 2017. **(Contract No. C20160490)**

g) PUBLIC WORKS:

18. Resolution approving submission of the Skagit County Preliminary Draft Comprehensive Solid Waste Management Plan to the Washington State Department of Ecology. **(Resolution No. R20160301)**

h) SHERIFF:

19. Amendment No. 2 to Organized Crime Drug Enforcement Task Forces (OCDETF) Investigation/Strategic Initiative Number PA-WAW-0307, Contract No. C20160315, for the purpose of receiving reimbursement for costs incurred by the Skagit County Sheriff's Office in providing resources to joint operations/task forces. This Amendment decreases compensation to Skagit County by \$1,424.18 since Skagit County did not experience any further expenses prior to the termination date of the Agreement. The new compensation amount to Skagit County shall not to exceed \$1,075.52. All other terms and conditions of the original Amendment and subsequent Amendment shall remain in effect including the termination date of September 30, 2016. **(Amendment No. A20160158)**

VI. RATIFICATION AGENDA (items 20 and 21):

i) PUBLIC DEFENDER:

20. Resolution authorizing the ratification of Amendment No. 1 to Personal Services Agreement No. C20160034 with Tracy L. Pearson d/b/a Pearson Transcription, LLC to provide legal transcription services. A signed Amendment was not executed before services were provided. **(Resolution No. R20160302)**
21. Amendment No. 1 to Personal Services Agreement No. C20160034 with Tracy L. Pearson d/b/a Pearson Transcription, LLC to provide legal transcription services. This Amendment increases compensation from \$15,000 to \$25,000 to reflect additional transcription services. All other terms and conditions of the original Agreement shall remain in effect including the termination date of December 31, 2016. **(Amendment No. A20160159)**

VII. MISCELLANEOUS AGENDA (item 1):

Human Resources/Risk Management Director Jessica Neill Hoyson provided additional information about Miscellaneous Agenda item no. 1.

There was a discussion about reopening the Long Term Disability Plan enrollment period in order to allow employees additional time to enroll in the new benefit.

a) HUMAN RESOURCES:

1. Resolution establishing 2017 compensation and benefits for non-represented Skagit County employees. **(Resolution No. R20160303)**

A motion was made by Commissioner Wesen to approve the Resolution establishing 2017 compensation and benefits for non-represented Skagit County employees
Commissioner Dahlstedt seconded the motion.

The vote passed unanimously.

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 \$195,588.17 (Transmittal No. C-160-16); and
- b) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$1,654.01 (Transmittal No. C-162-16).

VIII. ADJOURNMENT:

Chair Janicki adjourned the proceedings at 2:08 p.m.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Lisa Janicki, Chair

Ron Wesen, Commissioner

Kenneth A. Dahlstedt, Commissioner

ATTEST:

Clerk of the Board