

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
TUESDAY, FEBRUARY 20, 2018**

The Skagit County Board of Commissioners met in regular session on Tuesday, February 20, 2018, with Chair Kenneth A. Dahlstedt, and Commissioner Lisa Janicki present. Commissioner Ron Wesen absent.

I. CALL TO ORDER:

Chair Dahlstedt called the proceedings to order at 8:30 a.m.

II. AGENDA:

a) *8:30 a.m. - 9:15 a.m. Briefing - County Commissioners/County Administrator with Planning and Development Services and Public Health

b) PLEDGE OF ALLEGIANCE:

Chair Dahlstedt reconvened the proceedings at 9:15 a.m. and led the gallery in the salute to the flag.

c) 9:15 a.m. - 10:15 a.m. Consent Agenda, Vouchers, Warrants and Miscellaneous Items

1. Consent Agenda Items for Further Discussion:

Budget and Finance Director Trisha Logue provided additional information about item no. 4.

Emergency Management Director Doug ten Hoopen provided additional information about item no. 6.

Emergency Medical Services Director Jeff Sargent provided additional information about item no. 7.

Senior Program Coordinator Renee Corcoran provided additional information about item no. 12.

Transportation Programs Section Manager Forrest Jones provided additional information about item no. 16.

Engineering Division Manager Keith Elefson provided additional information about item no. 22.

2. Consent Agenda for Tuesday, February 20, 2018 (items 1 through 23):

A motion was made by Commissioner Janicki to approve Consent Agenda items 1 through 23, including all items requiring ratification, vouchers and warrants for Tuesday, February 20, 2018. Commissioner Wesen seconded the motion.

The vote passed unanimously.

a) COMMISSIONERS:

1. Record of the Proceedings for Thursday, February 8, 2018. **(Approved)**
 2. Record of the Proceedings for Monday, February 12, 2018. **(Approved)**
 3. Record of the Proceedings for Tuesday, February 13, 2018. **(Approved)**
- b) BUDGET AND FINANCE:
4. Resolution to establish Skagit County's Cost Assessment policy for 2017. **(Resolution No. R20180030)**
 5. Funding Agreement with Skagit Valley Tulip Festival which awards \$31,200 of Lodging Tax funds to support marketing and advertising as authorized by Resolution No. R20170248. The Agreement commenced on January 1, 2018, and continues until December 31, 2018. **(Contract No. C20180097)**
- c) EMERGENCY MANAGEMENT:
6. Interlocal Cooperative Agreement with the City of Anacortes, pursuant to RCW 39.34, to provide emergency response, recovery, planning, training, exercises, and outreach and preparedness services to the City through Skagit County's Department of Emergency Management. Annual compensation to Skagit County is based on a fee split between Skagit County and each Municipality. The Annual Fee rate for the Municipality shall be calculated by adding the Municipality's population as a percentage of the Total Incorporated Assessed Value and dividing by two (2) multiplied by forty percent (40%). This yields the percentage of the annual expense budget to be billed by the County (Annual Fee). The Agreement shall commence upon the date of execution and remain in effect through December 31, 2018, with an option to extend the Agreement for one additional two-year term. **(Contract No. C20180098)**
- d) EMERGENCY MEDICAL SERVICES:
7. Amendment No. 7 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 updates Exhibit "B" Compensation to allow for one payment budget modification in the amount of \$23,910 during the year 2017. The 2017 monthly compensation amount continues to be \$70,331.04. The term remains the same, ending December 31, 2018. All other terms and conditions of the original Agreement and subsequent Amendments remain in effect. **(Amendment No. A20180023)**
- e) PROSECUTING ATTORNEY:
8. Resolution to call for public hearing to consider a proposed Ordinance amending Skagit County Code 2.04 regarding hours of business and use of county properties. The public hearing is scheduled to take place on Monday, March 12, 2018, at 10:00 a.m. or as soon thereafter as possible in the Skagit County Commissioners' Hearing Room. **(Resolution No. R20180031)**
- f) PUBLIC HEALTH:
9. Personal Services Agreement with Pioneer Human Services to provide a full time Mental Health Professional services to adult inmates with mental illness to facilitate safe transition services and coordinate their return to the community. Compensation shall not exceed \$67,500 and is based on reimbursement for actual documented

expenses. The Agreement is ratified to commence on October 1, 2017, and shall continue until June 30 2018. **(Contract No. C20180099)**

10. Personal Services Agreement with Island Hospital for the support and facilitation of the Community Wellness Plan. Compensation shall not exceed \$5,000 and is based on an hourly rate schedule. The Agreement is ratified to commence on January 1, 2018, and shall continue until December 31, 2018. **(Contract No. C20180100)**
11. Personal Services Agreement with Sunrise Services to provide Recovery Residence services for a minimum of 5 women recovering from substance use disorders who are seeking to maintain recovery. Compensation shall not exceed \$100,000 and is funded by housing funds. The Agreement shall commence on March 1, 2018, and continue until June 30, 2019. **(Contract No. C20180101)**
12. Memorandum of Understanding with the Community Covenant Church of Clear Lake for the purpose of coordinating efforts by both parties to provide meals at a congregate setting. The Agreement is ratified to commence on January 1, 2018, and continue through December 31, 2018. **(Contract No. C20180102)**
13. Data Sharing Agreement with the Washington State Department of Health for access to confidential or limited datasets in the state system. The Agreement shall commence on the date of execution and continue for 3 years. **(Contract No. C20180103)**
14. Intent to Apply and Determination of Eligibility Form with Performance Excellence Northwest to comply with RCW 43.185.210 which requires entities receiving state housing funding to apply to the Washington State Quality Award program for an independent assessment of department quality management, accountability and performance. The application is due in 2018, and every three years thereafter. Compensation shall not exceed \$200 for the application fee. **(Contract No. C20180104)**

g) PUBLIC WORKS:

15. Resolution designating an Applicant Agent and authorizing an Application for Grant Funding Assistance for the State of Washington Hazard Mitigation Grant Program for Skagit County Parcel Numbers P41342, P126525, P41558 and P41520. **(Resolution No. R20180032)**
16. Resolution to close Prevedal Road, No. 93210 at milepost 0.36 to milepost 0.60 due to hillside sloughing within the Town limits of Lyman. **(Resolution No. R20180033)**
17. Interlocal Cooperative Agreement with the Town of Lyman to perform work, provide materials and equipment rental for roadway maintenance activities on a reimbursable basis for the Town of Lyman. The Agreement is ratified to commence on January 1, 2018, and shall continue through December 31, 2022. **(Contract No. C20180105)**
18. Personal Services Agreement with One Ocean Environmental to develop and implement the Kids on the Beach "pilot" program to provide opportunities for local middle-school students to have meaningful learning experiences about nearshore marine waters. Work will be done with support from the Skagit County Marine Resources Committee and other volunteers. Compensation shall not exceed \$5,500 and is funded through Grant Agreement No. C20170481 with the Department of Ecology. The Agreement is ratified to commence on January 16, 2018, and shall continue until September 30, 2018. **(Contract No. C20180106)**
19. Personal Services Agreement with Natural Resources Consultants, Inc. for planning, promoting, and implementing the Salish Sea Stewards volunteer training program. Compensation shall not exceed \$20,500, which is based on work completed and services rendered and is funded through Grant Agreement No. C20170481 with the

Department of Ecology. The Agreement is ratified to commence on January 22, 2018, and shall continue until September 30, 2018. **(Contract No. C20180107)**

20. Vendor Services Agreement with Diversified Inspections / ITL to perform annual inspections of cranes, hoists, man-lift trucks and the crane truck pursuant to Labor and Industry regulations. Compensation shall not exceed \$15,000. The Agreement shall commence on the date of execution and continue for two years. **(Contract No. C20180108)**
21. Vendor Services Agreement with Meyer Sign and Advertising Company for the design and application of logos and graphics on County owned vehicles. Compensation shall not exceed \$15,000 and is based on a rate schedule. The Agreement shall commence on the date of execution and continue for two years. **(Contract No. C20180109)**
22. Supplemental Agreement No. 1 for Agency A&E Professional Services Cost Plus Fixed Fee Consultant Agreement, Skagit County Contract o. C20170380 with KPFF Consulting Engineers to provide the design engineering services, preparation of plans, specification and estimates for the Illabot Creek Alluvial Fan Restoration Project. They will also provide support for environmental documentation and project permitting as needed and technical support during the project advertising/bidding phase. This Supplemental Agreement amends Exhibit "E" by adding a new sub consultant, Reichardt & Ebe Engineering, Inc. (R&E) and increases compensation by \$205,414.10 for a new compensation amount not to exceed \$573,949.42, which is based on a rate schedule. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20180024)**

h) SHERIFF:

23. Resolution for the declaration of an emergency and to waive the bidding requirements for the recent storage, transport, and removal related to animals located at 12354 Bay View Cemetery Road, Mount Vernon. **(Resolution No. R20180034)**

3. 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 \$144,437.56 (Transmittal No. C-31-18); and
 - b) Warrants numbered 476024 through 476464 from Clearing Fund 696 in the total dollar amount of \$2,597,807.44 (Transmittal No. C-32-18); and
 - c) Warrants numbered 476465 through 476466 from Clearing Fund 696 in the total dollar amount of \$8,486.00 (Transmittal No. C-33-18).

4. Miscellaneous Agenda (items 1 through 4):

a) COMMISSIONERS:

1. Resolution to appoint Peter W. Janicki to fill the vacant Commissioner Position No. 1 in Skagit County Drainage District No. 21. Mr. Janicki's term will continue until the next special district general election. **(Resolution No. R20180035)**

Discussion was held regarding serving on a special purpose district. Commissioner Janicki announced that she would be recusing herself from voting on the Resolution to appoint Peter Janicki to a vacant position on the Drainage District 21 Board since he was her brother-in-law.

A motion was made by Commissioner Wesen to approve the Resolution to appoint Peter W. Janicki to fill the vacant Commissioner Position No. 1 in Skagit County Drainage District No. 21. Chair Dahlstedt seconded the motion.

The vote passed unanimously.

b) PUBLIC WORKS:

2. Resolution pertaining to the emergency acquisition of real property to provide access to the Prevedal Community. **(Resolution No. R20180036)**

Deputy Prosecuting Attorney Will Honea provided additional information about item no. 2.

A motion was made by Commissioner Janicki to approve the Resolution pertaining to the emergency acquisition of real property to provide access to the Prevedal Community. Commissioner Wesen seconded the motion.

The vote passed unanimously.

3. Temporary Easement on Parcel No. P40825 granted by property owners Dennis and Kathleen Simpson to Skagit County to provide property access for the installation of a new connection route between Prevedal Road and Carpenter Road. Compensation shall not exceed \$5,000. The Temporary Easement shall commence on the date of mutual execution and shall expire on completion of the project or six (6) months from the of mutual execution, whichever is sooner. **(Contract No. C20180110)**

River Improvement/Watershed Planner/Conservation Futures Oversight Coordinator Kara Symonds provided additional information about item no. 3.

A motion was made by Commissioner Janicki to approve the Temporary Easement on Parcel No. P40825 granted by property owners Dennis and Kathleen Simpson to Skagit County to provide property access for the installation of a new connection route between Prevedal Road and Carpenter Road. Commissioner Wesen seconded the motion.

The vote passed unanimously.

4. Interlocal Cooperative Agreement with Skagit Conservation District to assist Skagit County meet the NPDES II permit requirements for public education and outreach in relation to stormwater; detection and elimination of illicit discharges to stormwater; public participation and involvement; post-construction stormwater management in new development and redevelopment; and pollution prevention and good housekeeping for municipal operations. Compensation shall not exceed \$20,214 and is based on a schedule of tasks. The Agreement is ratified to commence on January 1, 2018, and shall continue through December 31, 2018. **(Contract No. C20180111)**

Water Resources Section Manager Michael See provided additional information about Miscellaneous Agenda item no. 4 and Commissioner Wesen announced that he would be recusing himself from voting on the Agreement since

his brother was on the Skagit Conservation District Board.

A motion was made by Commissioner Janicki to approve the Interlocal Cooperative Agreement with Skagit Conservation District. Chair Dahlstedt seconded the motion.

The vote passed unanimously.

Chair Dahlstedt recessed the proceedings at 9:49 a.m.

d) 10:15 a.m. - 10:30 a.m. Planning and Development Services - Hal Hart, Director:

Chair Dahlstedt reconvened the proceedings at 10:15 a.m. and introduced Senior Planner/Team Supervisor Stacie Pratschner.

1. Discussion/Possible Action: Ordinance to Amend Skagit County Code 14.18.100 to Permit Additional Extensions for Plats and Short Plats

Ms. Pratschner provided a summary of the proposed Ordinance to Amend Skagit County Code 14.18.100. She said that the Planning Commission had voted 8 – 0 to approve the amendment and the Planning Department was recommending the same.

Discussion was held regarding the affected projects.

A motion was made by Commissioner Wesen to approve the Ordinance Amending Skagit County Code 14.18.100 to Permit Additional Extensions for Plats and Short Plats (**Ordinance No. O20180002**) Commissioner Janicki seconded the motion.

The vote passed unanimously.

A memorandum provided by Planning and Development Services regarding the proposal can be found here: <ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/02192018/>

2. Discussion/Possible Action: 2018 Work Program

Ms. Pratschner provided an overview of the proposed Work Plan for 2018 and a draft plan for 2019. Discussion was held regarding Planning and Development's ability to complete the proposed projects on the 2018 plan.

A motion was made by Commissioner Wesen to approve a Resolution adopting the 2018 Work Plan. (**Resolution No. R20180037**) Commissioner Janicki seconded the motion.

The vote passed unanimously.

A memorandum provided by Planning and Development Services regarding the proposed 2018 Work Program can be found here: <ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/02192018/>

Chair Dahlstedt recessed the proceedings at 10:26 a.m.

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

Chair Dahlstedt reconvened the proceedings at 10:30 a.m. and introduced County Engineer Paul Randall-Grutter.

1. Update: Burlington Northern Overpass Project

Mr. Randall-Grutter showed photographs of the current phase of construction of the Burlington Northern Bridge and said that it was currently scheduled to be complete in late summer 2018.

2. Discussion/Possible Action: Authorizing the Tree Removal/Topping within County Right-of-way on Haddon Road

Engineering Division Manager Keith Elefson provided background information about the request to remove a tree on Haddon Road within the county right-of-way due to the requirement to widen the road for a new development in the Anacortes area. Mr. Elefson also suggested that Public Works prepare a revised tree cutting policy that would remove the Commissioners from the process and direct applicable Public Works staff to monitor the tree topping process for Skagit County.

A motion was made by Commissioner Wesen to approve the Resolution authorizing the tree removal/topping within county right-of-way on Haddon Road. **(Resolution No. R20180038)** Commissioner Janicki seconded the motion.

The vote passed unanimously.

Chair Dahlstedt recessed the proceedings at 10:45 a.m.

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

Chair Dahlstedt reconvened the proceedings at 11:31 a.m.

1. County and Individual Success Stories

No one provided any county or individual success stories.

2. Public Comment Period

Marion Flagg of Beaver Lake Road was present to ask the Commissioners for assistance to get 800 acres of farmland drained that had been flooded. There was resistance from other entities and she felt that the needs of fish were placed too high above the needs of people. She also talked mudslide concerns due to additional logging on Cultus Mountain.

3. Miscellaneous Announcements

No miscellaneous announcements were made. Chair Dahlstedt recessed the proceedings at 11:37 a.m.

g) 11:45 a.m. - 12:00 p.m. Presentation by North Sound Behavioral Health Executive Director Joe Valentine: Proposed Oak Harbor Crisis Center

Chair Dahlstedt reconvened the proceedings at 11:45 a.m. and introduced Executive Director Joe Valentine.

Mr. Valentine provided an overview of a proposal for a Crisis Stabilization Center located in Oak Harbor that would serve Island, San Juan and West Skagit Counties. Mr. Valentine said that there was a request to allocate \$1 million from Skagit County's future Stabilization Campus towards the proposed Oak Harbor Stabilization Center. He discussed other funding requests made by Island County towards the center and the need for crisis beds in Island and San Juan Counties. Discussion was held regarding the importance

of securing funds in order to provide a viable project to the legislature for additional funding, and the number of treatment beds needed in the 5-county region.

Chair Dahlstedt shared concerns that a joint meeting had not yet been held to discuss if the location in Oak Harbor met everyone's needs and if the Sheriff, mayor of the City of Anacortes, and Anacortes police chief had been asked if the location worked for their needs. He also said that the bed available to Island and San Juan Counties at Lila Lane was not being utilized. He requested a meeting be set with regional partners before a regional decision was made to allocate \$1 million to the project.

Mr. Valentine said he would set a meeting and schedule a vote.

An informational paper provided by Mr. Valentine can be found here:
<ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/02192018/>

Chair Dahlstedt recessed the proceedings at 12:09 p.m.

h) 2:30 p.m. - 3:00 p.m. Consideration of the Hearing Examiner's Recommendation for Approval for the Following Open Space Applications:

Chair Dahlstedt reconvened the proceedings at 2:30 p.m. and introduced Current Use Specialist Kiffin Saben from the Assessor's Office.

1. Resolution Concerning a Transfer of 3.69 Acres from Current Use Farm and Agriculture to Current Use Open Space by Robert and Denise Caswell CU/OS #23-2017

Ms. Saben provided the location of the property, said that it was traditional farmland that no longer met the requirement for gross commercial agricultural income, and said that there would be little if any tax shift.

A motion was made by Commissioner Janicki to approve the Resolution Concerning an Application to Transfer 3.69 Acres from Current Use Farm and Agriculture to Current Use Open Space by Robert and Denise Caswell CU/OS #23-2017 (**Resolution No. R20180039**) Commissioner Wesen seconded the motion.

The vote passed unanimously.

2. Resolution Concerning a Transfer of 5.59 Acres from Current Use Farm and Agriculture to Current Use Open Space Farm and Agricultural Conservation by Ethel Nystrom CU/OS F&A #24-2017

Ms. Saben provided the location of the property, said that it was traditional farmland that no longer met the requirement for gross commercial agricultural income, and said that there would be little if any tax shift.

A motion was made by Commissioner Janicki to approve the Resolution Concerning an Application to Transfer 5.59 Acres from Current Use Farm and Agriculture to Current Use Open Space Farm and Agricultural Conservation by Ethel Nystrom CU/OS F&A #24-2017 (**Resolution No. R20180040**) Commissioner Wesen seconded the motion.

The vote passed unanimously.

3. Resolution Concerning a Transfer of 4.31 Acres from Current Use Farm and Agriculture to Current Use Open Space by Nancy Monahan, Thomas Monahan, Mary Monahan, Robert Leech and Veronica Leech CU/OS #25-2017

Ms. Saben provided the location of the property, said that it was traditional farmland that no longer met the requirement for gross commercial agricultural income, and said that there would be little if any tax shift.

A motion was made by Commissioner Janicki to approve the Resolution Concerning an Application to Transfer 4.31 Acres from Current Use Farm and Agriculture to Current Use Open Space by Nancy Monahan, Thomas Monahan, Mary Monahan, Robert Leech and Veronica Leech CU/OS #25-2017 (**Resolution No. R20180041**) Commissioner Wesen seconded the motion.

The vote passed unanimously.

The Commissioners thanked Ms. Saben for continuing to audit properties in Open Space and update those that no longer met the criteria set by the State of Washington.

The Commissioners announced they had some bills to pay from the Auditor's Office:

A motion was made by Commissioner Wesen to approve two additional vouchers and warrants, numbers C-31-18 and C-33-18. Commissioner Janicki seconded the motion.

The vote passed unanimously.

Chair Dahlstedt recessed the proceedings at 2:38 p.m.

- i) *3:00 p.m. - 3:30 p.m. Executive Session (None Scheduled as of the Date of this Notice)
- j) 3:30 p.m. - 4:00 p.m. Proclamation Recognizing February 17 - 24, 2018 as FFA Week in Skagit County

Chair Dahlstedt reconvened the proceedings at 3:31 p.m. and the Commissioners invited local FFA students to talk about their projects and leadership skills that they had learned from being involved in FFA.

Commissioner Wesen read proclamation recognizing February 17 through 24, 2018 as FFA Week in Skagit County.

III. ADJOURNMENT:

Chair Dahlstedt adjourned the proceedings at 3:53 p.m.

**BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Kenneth A. Dahlstedt, Chair

Lisa Janicki, Commissioner

Ron Wesen, Commissioner

ATTEST:

Clerk of the Board