

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, SEPTEMBER 27, 2021**

The Skagit County Board of Commissioners met in regular session on Monday, September 27, 2021, with Chair Lisa Janicki, Commissioner Peter Browning, and Commissioner Ron Wesen present.

I. CALL TO ORDER:

Chair Janicki called the proceedings to order at 8:46 a.m.

II. AGENDA:

- a) 8:45 a.m. - 9:45 a.m. Briefing – Administrative Services, Planning and Development Services, Facilities Management, and Parks, Recreation and Fair

The purpose of the briefing was for Administrative Services, Planning and Development Services, Facilities Management, and Parks, Recreation and Fair to provide an update.

Attendees:

Chair Lisa Janicki
Commissioner Peter Browning
Commissioner Ron Wesen
County Administrator Trisha Logue
Deputy County Administrator Kayla Schott-Bresler
Chief Civil Deputy Prosecuting Attorney Melinda Miller
Planning and Development Services Director Hal Hart
Parks, Recreation and Fair Director Brian Adams
Facilities Management Director Ken Hansen
Communications Director Laura Han
Human Resources/Risk Management Director Bonnie Haley

Chair Janicki recessed the briefing at 9:38 a.m.

Link to briefings: <ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/09272021/>

- b) 9:45 a.m. - 10:15 a.m. Bi-Weekly Briefing with Public Works

Chair Janicki reconvened the proceedings at 9:45 a.m. for Public Works to provide an update.

Attendees:

Chair Lisa Janicki
Commissioner Peter Browning
Commissioner Ron Wesen
County Administrator Trisha Logue
Deputy Administrator Kayla Schott-Bresler
Civil Deputy Prosecuting Attorney Stephen Fallquist
Public Works Director Dan Berentson
County Engineer Paul Randall-Grutter
Communications Director Laura Han
Human Resources/Risk Management Director Bonnie Haley
Engineering Division Manager Grace Kane

Chair Janicki recessed the proceedings at 10:10 a.m.

Link to briefing: <ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/09272021/>

- c) 12:00 p.m. - 1:00 p.m. Virtual Assembly hosted by Washington State Association of Counties (WASC)

d. PLEDGE OF ALLEGIANCE:

Chair Janicki reconvened the proceedings at 1:30 p.m. and led the attendees in the salute to the flag.

- e) *1:30 p.m. - 2:00 p.m. Consent Agenda, Vouchers, Warrants and Miscellaneous Items

1. CONSENT AGENDA FOR Monday, September 27, 2021 (items 1 through 23):

The Commissioners commented on Consent Agenda item numbers 9, 10, and 16.

A motion was made by Commissioner Browning to approve Consent Agenda Items 1 through 23, including all items requiring ratification, vouchers and warrants for Monday, September 27, 2021. Commissioner Wesen seconded the motion.

The vote passed unanimously.

a) COMMISSIONERS:

1. Record of the Proceedings for Monday, September 20, 2021. **(Approved)**
2. Record of the Proceedings for Tuesday, September 21, 2021. **(Approved)**
3. Record of the Proceedings for Wednesday, September 22, 2021. **(Approved)**

b) DISTRICT COURT:

4. Interlocal Cooperative Agreement with the City of Anacortes to provide two dockets of Community Court services to the City each month. Compensation shall not exceed \$7,321.08 per year. The Agreement shall commence on the date of execution and continue until terminated. **(Contract No. C20210450)**

c) EMERGENCY MEDICAL SERVICES:

5. Interlocal Joint Purchasing Agreement with Snohomish Regional Fire and Rescue for Skagit County to enter into a supply agreement with Bound Tree Medical, LLC for the procurement of emergency medical supplies per the conditions of the bid awarded to Bound Tree Medical, LLC by Snohomish Regional Fire and Rescue. The Agreement is ratified to commence on September 18, 2021 and shall continue until terminated. **(Contract No. C20210451)**

d) FACILITIES MANAGEMENT:

6. Vendor Services Agreement with Northwest Tank and Environmental Services, Inc. for all labor, demolition, disposal, materials, equipment, certification documentation and supervision for inspection of the Public Safety Building (B013) underground generator fuel storage tank located at 600 South 3rd Street in Mount Vernon. Compensation shall not exceed \$1,000. The Agreement shall commence on the date of execution and continue through December 31, 2021. **(Contract No. C20210452)**

e) INFORMATION SERVICES:

7. Subscription Agreement with PageFreezer Software, Inc. to provide Social Media and Website Archiving services on behalf of Skagit County. Compensation shall not exceed \$9,180 per year plus applicable taxes. The Agreement shall commence upon the date of execution and continue until terminated. **(Contract No. C20210453)**

f) OFFICE OF JUVENILE COURT:

8. Interlocal Cooperative Agreement with Sedro-Woolley School District to jointly fund the BECCA Case Manager position to serve the School District and the Skagit County Office of Juvenile Court in implementing the truancy portion of the BECCA bill as outlined by RCW and WAC. Compensation to Skagit County shall not exceed \$6,780. The Agreement is ratified to commence on September 1, 2021, and continue through August 31, 2022. **(Contract No. C20210454)**

g) PARKS, RECREATION AND FAIR:

9. Change Order #5 to Construction Contract Agreement No. C20210128 with Tiger Construction, LTD for the Presentin Park Side Channel Restoration and Recreational Improvements Project #RCO 16-1730. This Change Order adds a pedestrian curb and wood decking to the existing building. Compensation is increased from \$1,885,733.81 to \$1,900,598.31. All other terms and conditions of the original Agreement and prior Amendments shall remain in effect. **(Contract No. C20210455)**
10. Change Order #6 to Construction Contract Agreement No. C20210128 with Tiger Construction, LTD for the Presentin Park Side Channel Restoration and Recreational

Improvements Project #RCO 16-1730. This Change Order provides a method of payment and specifications for erosion control riparian seeding that was not included in the original contract and adds additional material to the ADA surfacing for adequate performance. Nine working days are added to the project and compensation is increased from \$1,900,598.31 to \$1,956,916.03. All other terms and conditions of the original Agreement and prior Amendments shall remain in effect. **(Contract No. C20210456)**

h) PUBLIC HEALTH:

11. Personal Services Agreement with ECONorthwest to conduct a housing study to better understand the current housing landscape and needs of people with developmental disabilities in Skagit County to inform future policy discussions and engage stakeholders. Compensation shall not exceed \$40,000. The Agreement shall commence on the date of execution and continue until May 31, 2022. **(Contract No. C20210457)**
12. Interlocal Agreement with Tacoma-Peirce County Health Department for the provision of online food worker training and card issuance to residents of Skagit County and anyone who works in Skagit County. Compensation shall not exceed \$45,000 and is based on a fee schedule. The Agreement shall commence on January 1, 2022, and continue until December 31, 2026. **(Contract No. C20210458)**
13. Interlocal Agreement with the State of Washington Department of Children, Youth, and Families, DCYF Contract No. 22-1170, to provide high quality home visiting services to vulnerable families for the propose of improving outcomes of participants and strengthening coordination of services. The Agreement is ratified to commence on July 1, 2021, and shall continue until July 31, 2022. Compensation shall not exceed \$404,022.60. **(Contract No. C20210459)**
14. Memorandum of Understanding with Skagit Legal Aid to assist Skagit County residents complete applications for the Treasurer Rent Assistance Program (T-RAP). The Agreement shall commence on the date of execution and continue through September 30, 2025. No compensation is associated with this Agreement. **(Contract No. C20210460)**
15. Memorandum of Understanding with Housing Authority of Skagit County and Community Action of Skagit County to coordinate the administration of the Housing and Urban Development (HUD) Emergency Housing Voucher (EHV) Program, assist individuals and families who are most in need, and determine the best use of the vouchers as well as other resources in the community. The Agreement shall commence on the date of execution and continue until terminated. No compensation is associated with this Agreement. **(Contract No. C20210461)**
16. Personal Services Agreement with Communities in Schools Whatcom-Skagit to provide an evidence-based program to support low-and-moderate-income families, households that have been disproportionately impacted by COVID-19, and those whose academic achievement or low school attendance signals that they have obstacles that prevent them from succeeding in schools. The Agreement is ratified to commence on September 1, 2021, and shall continue through August 31, 2022. Compensation shall not exceed \$500,000 and is funded by the American Rescue Plan Act. **(Contract No. C20210462)**
17. Amendment No. 1 to Personal Services Agreement No. C20200687 with Catholic Community Services of Western Washington to provide homeless outreach, case management, and shelter services according to the guidelines of Washington State Department of Commerce's most recent CARES Act Emergency Solutions Grant - COVID-19 (ESG-CV) Guidelines as posted on the website. This Amendment decreases Shelter Operations by \$25,000 and increases Rapid Re-Housing by \$25,000. Compensation remains the same and shall not exceed \$1,382,888.16. The term remains the same and shall continue until September 30, 2022. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20210159)**
18. Resolution approving the submission of a grant application to Northwest Regional Council for 2022 Senior Nutrition Services and authorizing Public Health Director Jennifer Johnson to sign application materials. **(Resolution No. R20210182)**

i) PUBLIC WORKS:

19. Resolution for the approval of maps, plans, and specifications and to call for bids for the

Ovenell Slough (Cedar Grove Culvert) Replacement Project #WA402229, SRFB Project No. 18-1490R. The bid opening is scheduled to take place on Monday, October 18, 2021, at 2:45 p.m. or as soon thereafter as possible. Attendance will be by phone 1 (253) 215-8782 Meeting ID: 871 8000 1980, or remote by computer, tablet or smartphone: <https://us06web.zoom.us/j/87180001980?pwd=eEVGUGkxZ3NkQkhYSnhBMEo2RTQrdz09> **(Resolution No. R20210183)**

20. Resolution calling for a public hearing to consider testimony regarding an application of a non-exclusive Telecommunications Franchise Agreement with the City of Burlington, a municipal corporation. The public hearing is scheduled to take place on Tuesday, October 19, 2021, at 8:30 a.m. or as soon thereafter as possible. Attendance will be by phone 1 (253) 215-8782 Meeting ID: 871 8000 1980, or remote by computer, tablet or smartphone: <https://us06web.zoom.us/j/87180001980?pwd=eEVGUGkxZ3NkQkhYSnhBMEo2RTQrdz09> **(Resolution No. R20210184)**
21. Vendor Services Agreement with UniFirst Corporation to provide, clean and maintain coveralls, rags, shop towels, and rugs for the Burlington Shop and Road Operations building. Compensation shall not exceed \$15,000. The Agreement shall commence on October 1, 2021, and continue for one year. **(Contract No. C20210463)**

j) SHERIFF:

22. Amendment No. 3 to Organized Crime Drug Enforcement Task Forces (OCDETF) Investigation/Strategic Initiative Number PA-WAW-0339 for fiscal year 2021, Skagit County Contract No. C20200557, 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 by \$3,867.74 since there were no further expenses. Total compensation shall not exceed \$4,679.84. The term remains the same and continues until September 30, 2021. All other terms and conditions of the original Agreement and prior Amendments shall remain in effect. **(Amendment No. A20210160)**
23. Amendment No. 1 to Organized Crime Drug Enforcement Task Forces (OCDETF) Investigation/Strategic Initiative Number PA-WAW-0343 for fiscal year 2021, Skagit County Contract No. C20200694, 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 by \$6,034.81 since there were no further expenses. Total compensation shall not exceed \$8,965.19. The term remains the same and shall continue until September 30, 2021. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20210161)**

2. 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 \$50,086.39 (Transmittal No. C-117-21); and
 - b) Warrants numbered 535790 through 536088 from Clearing Fund 696 in the total dollar amount of \$5,386,101.60 (Transmittal No. C-118-21); and
 - c) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$143,018.23 (Transmittal No. C-119-21); and
 - d) ACH Transfer Request Form and Certification to Delta Dental from Clearing Fund 696 in the total dollar amount of \$15,809.30 (Transmittal No. C-120-21); and
 - e) Payroll warrants numbered 460226 through 460997 in the total dollar amount of \$1,523,835.35 (Transmittal No. P-35-21); and
 - f) Junior District Payroll warrants numbered 827442 through 827538 in the total dollar amount of \$131,730.95 (Transmittal No. P-36-21).

3. MISCELLANEOUS AGENDA (items 1 and 2):

The Commissioners discussed Miscellaneous Agenda Item 1. Conversations had been held with staff and members of the public regarding the vacancies on the Planning Commission and it was recognized that it was important to clearly define and follow the process of appointing members to the Planning Commission. It was noted that usually no more than 1 or 2 applications were submitted when a vacancy occurred in a district due to the amount of time Planning Commission members needed to commit to meetings and reviewing material.

Each Commissioner had interviewed the two applicants who had applied for the position in District 1. Chair Janicki stated that the position in District 3 had only received one valid application to date and would remain open until additional applications were received. The process was that the Chair was required to choose from a list of 2 or more applicants.

Chair Janicki asked Commissioner Wesen who his preferred candidate was, wanting to consider his suggestion since vacancy was in his district.

After meeting with both applicants, and considering the amount of time already invested by Mr. Henley on the Planning Commission when he was appointed to fill a vacancy created when the previous member vacated the Commission before the term expired, Commissioner Wesen recommended the appointment of Vincent Henley.

Chair Janicki accepted the recommendation and moved to appoint Vincent Henley to fill the vacancy on the Skagit County Planning Commission in District 1.

A motion was made by Commissioner Wesen to approve that Vincent Henley fill the vacancy on Skagit County Planning Commission in District 1. Commissioner Browning seconded the motion.

The vote passed on a 2 - 1 vote with Commissioner Browning dissenting.

Watershed Planner Kara Symonds provided additional information on Miscellaneous Agenda Item 2. The Commissioners asked questions and Ms. Symonds provided answers and showed maps of the area depicting the movement of the river and continued erosion of the riverbank.

A motion was made by Commissioner Wesen to approve Miscellaneous Agenda Item 2. Commissioner Browning seconded the motion.

The vote passed unanimously.

a) COMMISSIONERS:

1. Resolution to appoint a resident to the Skagit County Planning Commission in District 1. The term will expire on August 31, 2025. **(Resolution No. R20210185)**

b) PUBLIC WORKS:

2. Grant Agreement No. D22-007 with the Washington State Military Department and the Federal Emergency Management Agency to authorize Skagit County to receive additional funding for the Lyman Slough Property Acquisition - Phase 1 project. (See Contract No. C20180194). The purpose of this Agreement is to finish work to acquire four (4) properties in Lyman, demolish all structures on these properties and complete site restoration for each property in accordance with the Open Space requirements set forth in 44 Code of Federal Regulations (CFR) Part 80. All acquired properties will be deed-restricted to ensure they remain as Open Space in perpetuity, in accordance with 44 CFR Part 80. Grant amount to Skagit County to complete Phase 1 shall not exceed \$67,687.50. The County match shall not exceed \$11,281.25. The Grant Agreement is ratified to commence on March 21, 2018, and end on March 15, 2023. **(Contract No. C20210464)**

Chair Janicki recessed the proceedings at 1:50 p.m.

f) 2:00 p.m. - 2:30 p.m. Work Session with Public Health

Chair Janicki reconvened the proceedings at 2:00 p.m. for a work session to discuss Group B Water Systems.

Attendees:

Chair Lisa Janicki

Commissioner Peter Browning

Commissioner Ron Wesen
Senior Civil Deputy Prosecuting Attorney Will Honea
Deputy Administrator Kayla Schott-Bresler
Public Health Director Jennifer Johnson
Environmental Health Specialist Britt Pfaff-Dunton
Environmental Health Specialist Corrina Marote

Chair Janicki recessed the proceedings at 2:28 p.m.

g) *2:30 p.m. - 3:30 p.m. Public Meeting to Consider Public Comments Regarding the Redistricting Process

Chair Janicki reconvened the proceedings at 2:30 p.m. and introduced Skagit County Auditor Sandy Perkins.

Ms. Perkins introduced staff from FLO Analytics: Senior Analyst/Education Sector Lead Kent Martin, Communications Coordinator Abbi Russell, and GIS Analyst Rachel Roberts and staff from Skagit County: Elections Supervisor Gabrielle Clay, Elections Lead Lisa Lomsdalen, GIS Manager Geoff Almvig, GIS Technician Lead/Coordinator Sean Carson, and Communications Director Laura Han who were working to analyze population, geography, and communities of interest data to determine whether or not the boundaries of the districts in Skagit County needed to be adjusted.

Data from the U.S. Census showed the population in Skagit County had increased from 116,901 in 2010 to 129,523 in 2020 and that the growth occurred fairly equally throughout Skagit County.

Governments were required to redraw electoral district boundaries every ten years to ensure that population differences between districts was within 10%. In 2010, the population difference between the three districts was 2.2%. In 2020 the population difference between the districts was now 3.3%. If boundaries were redrawn they would need to take into consideration natural and municipal boundaries, demographics, and communities of interest.

Commissioner Wesen felt it would be important for each district to include agriculture.

Members of the public Stella Winberry and Paul Vance provided comments about redistricting and asked for additional information about the purpose of redistricting and whether the boundaries of the three Commissioner Districts were similar to other district boundaries in the County.

Information about redistricting could be found here: www.publicinput.com/SkagitCountyRedistricting

Mr. Martin said that comments would continue to be accepted from the public about redistricting at redistricting@co.skagit.wa.us and that the next meeting scheduled for October 25, 2021 would be to discuss preliminary options for new boundaries.

Link to the PowerPoint shared at the meeting:
<ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/09272021/>

Chair Janicki recessed the proceedings at 2:56 p.m.

h) 3:30 p.m. - 4:00 p.m. Executive Session (Potential Litigation - RCW 42.30.110(1)(i))

1. Call Public Meeting to Order/Roll Call

The meeting was called to order at 3:30 p.m. and roll call was performed. Chair Lisa Janicki, Commissioner Peter Browning and Commissioner Ron Wesen were present. The following attorney was present and provided legal advice to the Commissioners: Senior Civil Deputy Prosecuting Attorney Will Honea.

2. Executive Session (Potential Litigation - RCW 42.30.110(1)(i)) (Approximately 30 minutes)

The executive session started at 3:31 p.m. and ended at 3:48 p.m.

3. Reconvene Public Meeting/Adjournment

Chair Janicki reconvened the proceedings at 3:48 p.m. and announced that no action had taken place.

III. ADJOURNMENT:

Chair Janicki adjourned the proceedings at 3:48 p.m.

*Note, to obtain an audio or video recording of this meeting; please contact the Skagit County Commissioners'

office.

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

Lisa Janicki, Chair

Peter Browning, Commissioner

Ron Wesen, Commissioner

ATTEST:

Clerk of the Board