

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
TUESDAY, SEPTEMBER 3, 2019**

The Skagit County Board of Commissioners met in regular session on Tuesday, September 3, 2019, with Chair Lisa Janicki, Commissioner Ron Wesen, and Commissioner Kenneth A. Dahlstedt present.

**I. CALL TO ORDER:**

Chair Janicki call the proceedings to order at 8:45 a.m.

**II. AGENDA:**

- a) \*8:45 a.m. - 9:45 a.m. Briefing - County Commissioners/County Administrator with Planning and Development Services, Public Works, Public Health and Emergency Medical Services

b) PLEDGE OF ALLEGIANCE:

Chair Janicki reconvened the proceedings at 10:31 a.m. and led the gallery in the salute to the flag.

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

Director Dan Berentson introduced ER&R Division Manager Rick Owens.

1. Public Hearing: To Consider Testimony Regarding the Disposal of Skagit County Surplus Property, Including Vehicles and Equipment, in Accordance with the Revised Code of Washington (RCW) 36.34

Division Manager Rick Owens reviewed the disposal process to surplus vehicles and property and he answered questions about items on the auction list.

Chair Janicki opened the public hearing at 10:43 a.m. Seeing no one present to provide public testimony, Commissioner Dahlstedt made a motion to close the public hearing which was seconded by Commissioner Wesen. The vote passed unanimously.

Public Works informed the Commissioners that a Resolution authorizing the disposal of Skagit County surplus property would come before them under a future Consent Agenda.

Chair Janicki recessed the proceedings at 10:44 a.m.

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

Chair Janicki reconvened the proceedings at 11:30 a.m.

1. County and Individual Success Stories

No one was present to provide success stories.

2. Public Comment Period

No one was present to provide public comment.

3. Miscellaneous Announcements

The Commissioners discussed school bus safety precautions, Labor Day, and emergency preparedness.

Chair Janicki recessed the proceedings at 11:37 a.m.

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

Chair Janicki reconvened the proceedings at 1:31 p.m.

1. CONSENT AGENDA ITEMS FOR FURTHER DISCUSSION:

Stormwater Permit Program Coordinator Jason Quigley provided additional information on Consent Agenda item 8.

Natural Resources Division Manager Michael See provided additional information on Consent Agenda item 9.

Project Manager Jennifer Swanson provided additional information on Consent Agenda item 13.

2. CONSENT AGENDA FOR TUESDAY, SEPTEMBER 3, 2019 (items 1 through 13):

A motion was made by Commissioner Wesen to approve Consent Agenda items 1 through 13, including all items requiring ratification, vouchers and warrants for Tuesday, September 3, 2019. Commissioner Dahlstedt seconded the motion.

The vote passed unanimously.

a) COMMISSIONERS:

1. Record of the Proceedings for Monday, August 26, 2019. **(Approved)**

b) BUDGET AND FINANCE:

2. Interlocal Cooperative Agreement with the Town of La Conner to award \$500,000 of Economic Development/Public Facilities Project grant funds to support construction of a new library. This Agreement shall be effective on July 1, 2019, pursuant to Resolution No. R20190120 and continue until October 15, 2021. **(Contract No. C20190378)**
3. Interlocal Cooperative Agreement with the City of Anacortes to award \$300,000 of Economic Development/Public Facilities Project grant funds to support the design and construction of bathroom facilities. This Agreement shall be effective on July 1, 2019, pursuant to Resolution No. R20190120 and continue until December 31, 2021. **(Contract No. C20190379)**

c) HUMAN RESOURCES:

4. Memorandum of Agreement (Amendment No. 1) to Collective Bargaining Agreement C20180206 with Teamsters Union, Local 231 representing employees in District and Superior Courts, Clerk, Assessor, Treasurer, Auditor, Records Management, Parks and Recreation and Facilities Management. This Memorandum updates the Collective Bargaining Agreement (CBA) to include reimbursement of gym fees as agreed upon in the 2014-2016 CBA, but was unintentionally deleted from the 2017-2019 CBA. This Amendment is ratified to commence on January 1, 2017, and continue until December 31, 2019. **(Amendment No. A20190134)**

d) OFFICE OF JUVENILE COURT:

5. Interlocal Cooperative Agreement with Anacortes 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 \$3,258. The Agreement shall commence on September 1, 2019, and continue through August 31, 2020. **(Contract No. C20190380)**

e) PROSECUTING ATTORNEY:

6. Resolution authorizing litigation to abate a public nuisance by Exequiel and Guadalupe Quezada. **(Resolution No. R20190158)**

f) PUBLIC HEALTH:

7. Memorandum of Understanding with Kulshan Community Land Trust regarding affordable housing assistance through the Community Development Block Grant (CDBG) eligible Homeownership Assistance Project as funded by a grant in the amount of \$750,000 from the United States Department of Housing and Urban Development (HUD) and administered by the Washington State Department of Commerce (Commerce). Skagit County is administering the CDBG-funded Homeownership Assistance Project. The Agreement shall commence on the date of execution and continue until Homeownership Assistance Project funds are fully expended. The County shall provide assistance in the form of homeownership assistance provided directly by check submitted to eligible homebuyers' escrow accounts. Such assistance is contingent on the availability of CDBG funding and will cease when the grant is fully expended. Maximum Assistance is \$25,000 per household. Funds will be used solely to provide assistance to persons of low-income to moderate-income. **(Contract No. C20190381)**

g) PUBLIC WORKS:

8. Amendment No. 1 to Personal Services Agreement No. C20180650 with Brown and Caldwell, Inc. to support the Natural Resources Division with compliance and management of the National Pollutant Discharge Elimination System (NPDES) Western Washington Phase II Municipal Stormwater Permit, and other drainage-related planning and design activities. This Amendment increases compensation from \$30,000 to \$130,000. All other terms and conditions of the original Agreement, including the end date of December 31, 2020, shall remain in effect. **(Amendment No. A20190135)**
9. Grant Agreement with the Washington State Conservation Commission, 2019-21 Biennium Contract No. K2021, which awards Skagit County \$240,000 to develop and implement the Skagit County Voluntary Stewardship Program (VSP) Work Plan. The Agreement is ratified to commence on July 1, 2019, and shall continue until June 30, 2021. **(Contract No. C20190382)**
10. Personal Services Agreement with Innovative Environments, LLC to assist with the management and administration of the Forestry Program. Tasks are related to the Forestry Advisory Board, Timber/Fish/Wildlife Policy Committee, Secure Rural Schools, Payment in Lieu of Taxes, Trust Lands, Federal Lands and Legislation. Compensation shall not exceed \$38,400 and is based on a fee schedule. The Agreement is ratified to commence on July 1, 2019, and continue until December 31, 2019. **(Contract No. C20190383)**
11. Solid Waste Management Local Solid Waste Financial Assistance Agreement No. SWMLSWFA-2019-SkCoPW-0038 with the State of Washington Department of Ecology (DOE) to provide funding for Moderate Risk Waste Collection, Disposal and Outreach and Waste Reduction/Recycling-Public Education and Outreach. DOE shall provide 75% (\$155,994.50) in grant funding to Skagit County and Skagit County shall contribute 25% (\$51,998.17) for a total amount not to exceed \$207,992.67. The Agreement is ratified to commence on July 1, 2019, and continue until June 30, 2021. **(Contract No. C20190384)**
12. Amendment No. 2 to Personal Services Agreement No. C20170193 with Edge Analytical Laboratories to analyze water, soil, sediment, and/or sludge samples submitted by the County as directed on the chain-of-custody document and in accordance with standard test methods

appropriate to meet the project objectives. This work is a requirement of the National Pollutant Discharge Elimination System (NPDES) permit. These services will be utilized by several departments including Public Works and Planning and Development Services. This Amendment will revise Exhibit B, Compensation, to include an additional pricing schedule. Total compensation remains the same and shall not exceed \$475,000. All other terms and conditions of the original Agreement and prior Amendment shall remain in effect. **(Amendment No. A20190136)**

13. Construction Contract Agreement with Granite Construction Company for the 2019 HMA Overlay Project #ESHMA19-1 for work at the following sites per Schedules A and B: McLean Road and Cook Road. Compensation shall not exceed \$1,814,775 and is based on a rate schedule. The Agreement shall commence upon the date of execution. **(Contract No. C20190385)**

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) Warrants numbered 505487 through 505797 from Clearing Fund 696 in the total dollar amount of \$2,933,740.51 (Transmittal No. C-112-19).

Chair Janicki recessed the proceedings at 1:42 p.m.

- f) \*2:30 p.m. - 3:30 p.m. Executive Session (Potential Litigation - RCW 42.30.110(1)(i))

Chair Janicki reconvened the proceedings at 2:31 p.m. and announced that they would be going into an executive session for approximately one hour regarding potential litigation.

Chair Lisa Janicki, Commissioner Ron Wesen and Commissioner Kenneth A. Dahlstedt attended an executive session on Tuesday, September 3, 2019, at 2:32 p.m. for Potential 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: Civil Deputy Prosecuting Attorney Stephen Fallquist, Chief Civil Deputy Prosecuting Attorney Melinda Miller, Civil Deputy Prosecuting Attorney Julie Nicoll and Outside Counsel Mark Johnsen. Other attendees included: Human Resources/Risk Management Director Donnie LaPlante, Public Works Director Dan Berentson, County Engineer Paul Randall-Grutter and Chuck Boyd with Washington Counties Risk Pool.

Chair Janicki announced that the executive session had ended at 3:10 p.m. and that no action had taken place.

III. **ADJOURNMENT:**

Chair Janicki adjourned the proceedings at 3:10 p.m.

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

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Lisa Janicki, Chair

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Ron Wesen, Commissioner

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Kenneth A. Dahlstedt, Commissioner

ATTEST:

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Clerk of the Board