

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, MARCH 9, 2020**

The Skagit County Board of Commissioners met in regular session on Monday, March 9, 2020, with Chair Lisa Janicki, Commissioner Ron Wesen, and Commissioner Kenneth A. Dahlstedt present.

I. CALL TO ORDER:

Chair Wesen called 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, Human Resources/Risk Management, Central Services: Information Services, Geographic Information Services and Records Management Departments

Chair Wesen called the briefing to order at 8:45 a.m. The purpose of the briefing was for Planning and Development Services, HR/Risk Management, Central Services: Information Services, Geographic Information Services and Records Management to provide an update.

Attendees:

Chair Ron Wesen
Commissioner Kenneth A. Dahlstedt
Commissioner Lisa Janicki
County Administrator Trisha Logue
Planning and Development Services Director Hal Hart
Geographic Information Services Manager Geoff Almvig
IT Operations Manager Kristen Stubben

Chair Wesen recessed the proceedings at 9:45 a.m.

Link to briefing:

<ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/03092020/>

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

Chair Wesen called the briefing to order a little after 9:45 a.m. The briefing was for Public Works to provide an update.

Attendees:

Chair Ron Wesen
Commissioner Kenneth A. Dahlstedt
Commissioner Lisa Janicki
Civil Deputy Prosecuting Attorney Stephen Fallquist
Public Works Director Dan Berentson
County Engineer Paul Randall-Grutter

Chair Wesen recessed the proceedings a little after 10:15 a.m.

Link to briefing:

<ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/03092020/>

- c. PLEDGE OF ALLEGIANCE:

Chair Wesen led the gallery in the salute to the flag.

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

1. CONSENT AGENDA ITEMS FOR FURTHER DISCUSSION:

Clerk of the Board Amber Erps was present to provide additional information on Consent Agenda item 2.

Parks, Recreation and Fair Director Brian Adams was present to provide additional information on Consent Agenda item 12.

Housing Resource Coordinator George Kosovich was present to provide additional information on Consent Agenda item 20.

2. CONSENT AGENDA FOR MONDAY, MARCH 9, 2020 (items 1 through 36):

A motion was made by Chair Janicki to approve Consent Agenda Items 1 through 36, including all items requiring ratification, vouchers and warrants for Monday, March 9, 2020. Commissioner Dahlstedt seconded the motion.

The vote passed unanimously.

a) COMMISSIONERS:

1. Record of the Proceedings for Monday, February 24, 2020. **(Approved)**

b) ADMINISTRATIVE SERVICES:

2. Personal Services Agreement with Community Action of Skagit County to provide outreach to promote the 2020 Census. Compensation shall not exceed \$10,498 and is funded by a grant from the Office of Financial Management Contract No. C20200016. The Agreement is ratified to commence on January 28, 2020 and continue until June 30, 2020. **(Contract No. C20200080)**

c) BUDGET AND FINANCE:

3. Resolution establishing Skagit County's Cost Assessment Policy for 2019. **(Resolution No. R20200031)**
4. Resolution to call for a public hearing to amend the 2020 Skagit County budget. The public hearing is scheduled to take place on Tuesday, March 24, 2020 at 11:00 a.m., or as soon thereafter as possible, in the Skagit County Commissioners Hearing Room. **(Resolution No. R20200032)**
5. Resolution authorizing the Solid Waste fund to exceed the 2019 adopted budget by the amount of the annual depreciation expense. **(Resolution No. R20200033)**

d) CORONER:

6. Personal Services Agreement with Valley Memorials Inc. DBA Hawthorne Funeral Home to have a person available twenty-four (24) hours a day, seven (7) days a week to receive the deceased at the funeral facility. Compensation shall not exceed \$5,000 which is based on a fee structure. The Agreement is ratified to commence on January 1, 2020 and continue until December 31, 2020. **(Contract No. C20200081)**

e) EMERGENCY MANAGEMENT:

7. Grant Agreement No. E20-101-Skagit with the Washington State Military Department and the U.S. Department of Homeland Security for emergency management performance and prevention activities. Funding will be used to assist with training and exercises, planning, operational readiness, public education and outreach, and communications and warnings. Compensation to Skagit County shall not exceed \$65,969. The Grant Agreement is ratified to commence on September 1, 2019 and continue until June 30, 2021. **(Contract No. C20200082)**

f) FACILITIES MANAGEMENT:

8. Vendor Services Agreement with Axiom Division 7, Inc. to repair the leaking roof of the Commissioners Administrative Building located at 1800 Continental Place in Mount Vernon. Compensation shall not exceed \$1,793.55. The Agreement is ratified to commence on February 1, 2020 and continue until April 30, 2020. **(Contract No. C20200083)**
- g) HUMAN RESOURCES:
9. Memorandum of Agreement (Amendment No. 1) to Collective Bargaining Agreement No. C20190071 between Skagit County and Public Defender's Support Staff AFSCME Local 176-PDS. The Memorandum extends the labor agreement by two years. The Memorandum shall continue until December 31, 2021. **(Amendment No. A20200024)**
- h) INFORMATION SERVICES:
10. Statement of Work Agreement with F5 Networks, Inc. for professional services to assist with the configuration of an F5 device. The device will replace the NetScaler used for Citrix capabilities and the Microsoft Threat Management Gateway functions which support remote e-mail access. Payment will be through established purchase order with CDW-G. The Agreement shall commence on the date of execution and continue until March 31, 2021. **(Contract No. C20200084)**
- i) PARKS, RECREATION AND FAIR:
11. Personal Services Agreement with Semrau Engineering & Surveying, PLLC to provide civil engineering and surveying services for the Veterans Plaza project at the Northern State Recreation Area and provide the necessary survey for the Skagit Playfields. Compensation shall not exceed \$57,100 and is based on an hourly rate schedule. The Agreement shall commence on the date of execution and continue until December 31, 2020. **(Contract No. C20200085)**
 12. Vendor Services Agreement with A-1 Safety Tree Service for the removal of two (2) trees located on Dyer Lane in the Town of Lyman. Compensation shall not exceed \$3,000. The Agreement shall commence on the date of execution and continue for one year. **(Contract No. C20200086)**
 13. Vendor Services Agreement with Countrywide Fence Center to install a chain link gate at the Skagit County Fairgrounds. Compensation shall not exceed \$2,500. The Agreement shall commence on the date of execution and continue for one year. **(Contract No. C20200087)**
- j) PROSECUTING ATTORNEY:
14. Resolution authorizing litigation to abate a public nuisance by Sanchez Farms LLC. **(Resolution No. R20200034)**
- k) PUBLIC HEALTH:
15. Personal Services Agreement with Corporation for Supportive Housing to provide technical assistance to the County in its efforts to support the planning of a new supportive housing project and low-barrier shelter. Compensation shall not exceed \$10,000 and is based on an hourly rate schedule. The Agreement shall commence on the date of execution and continue until December 31, 2020. **(Contract No. C20200088)**
 16. Amendment No. 1 to Interlocal Cooperative Agreement No. C20190515 with the Concrete School District for the purpose of providing a part-time, master's level, School Social Worker to serve the Concrete School District. This Amendment adds to the scope of work and budget for a school based mental health professional, flex funds, and Multi-Tiered System of Supports (MTSS) training. Total compensation is increased from \$38,000 to an amount not to exceed \$72,000. All other terms

and conditions of the original Agreement shall remain in effect, including the termination date of July 31, 2020. **(Amendment No. A20200025)**

17. Personal Services Agreement with Pioneer Human Services to provide time-limited financial assistance to individuals and families who are homeless and in need of short term assistance to either acquire and/or sustain housing. Compensation is based on a reimbursement for services schedule, and shall not exceed \$6,357. The Agreement is ratified to commence on February 1, 2020 and continue until June 30, 2020. **(Contract No. C20200089)**
18. Amendment No. 1 to Services Agreement No. C20150440 with Public Health Seattle and King County Pharmacy to provide affordable pharmaceuticals at a discounted rate to patients in the Skagit County Public Health and Community Services clinics. This Amendment updates the terms in the following sections: Billing and Reimbursement Procedures, Notices and "Exhibit 1." All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20200026)**
19. Amendment No. 2 to Interlocal Cooperative Agreement No. C20190294 with the Snohomish Health District to provide prevention services for tobacco and vapor devices to Skagit County residents. This Amendment reduces compensation from \$20,500 to an amount not to exceed \$19,962.10, fees for services will be spent as follows: \$7,000 charged to CDC Tobacco Prevention, \$6,462.10 charged to Youth Tobacco Vapor Prevention, and \$6,500 charged to FPH Youth Tobacco. All other terms and conditions of the original Agreement and prior Amendment shall remain in effect including the termination date of June 30, 2020. **(Amendment No. A20200027)**
20. Interlocal Cooperative Funding Agreement with the Swinomish Indian Tribal Community for Skagit County to provide funds for predevelopment activities associated with construction of an affordable housing project in Anacortes. Compensation to the Swinomish Indian Tribal Community shall not exceed \$150,000 and is funded by the 1/10th of 1% Mental Health and Substance Abuse sales tax. The Agreement shall commence on the date of execution and continue through March 1, 2027. **(Contract No. C20200090)**
21. Interlocal Cooperative Agreement with Western Washington University (WWU), Department of Health and Human Development to support an integrated camp experience for up to twenty (20) Skagit County residents 18 years and older with developmental disabilities through the WWU Camp TEAM (Together Everyone Achieves More) program. Compensation shall not exceed \$1,500 and is funded through Development Disabilities funds. The Agreement shall commence on date of execution and continue through August 31, 2020. **(Contract No. C20200091)**
22. Amendment No. 1 to Personal Services Agreement No. C20190601 with Pioneer Human Services to provide services to individuals enrolled in Skagit County Therapeutic Courts. This Amendment reduces compensation by \$20,000 for a new total compensation amount not to exceed \$121,500, which is funded by the 1/10th of 1% Mental Health and Substance Abuse sales tax. All other terms and conditions of the original Agreement shall remain in effect including the termination date of December 31, 2020. **(Amendment No. A20200028)**
23. Amendment No. 13 to Consolidated Contract with the Washington State Department of Health (DOH Contract No. CLH18259), Skagit County Agreement No. C20180132, to facilitate the delivery of public health services in Skagit County. This Amendment amends Statement of Work for the following DOH programs: Injury & Violence Prevention (IVP)-Overdose Data to Action. Compensation remains unchanged and shall not exceed \$1,323,655. All other terms and conditions of the original Agreement and prior Amendments shall remain in effect including the termination date of June 30, 2020. **(Amendment No. A20200029)**

I) PUBLIC WORKS:

24. Amendment No. 1 to Interagency Agreement No. C20190264 with Washington State Department of Agriculture to provide funding to the Skagit County Noxious Weed Control Board for a project to survey and eradicate invasive Spartina species within Skagit County. This Amendment increases compensation by \$5,000. Total compensation shall not exceed \$80,000. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20200030)**
25. Amendment No. 3 to Funding Board Project Grant Agreement No. C20180135 with the Washington State Salmon Recovery Funding Board and the Recreation and Conservation Office for the Martin Ranch Road Culvert Fish Passage Project. This Amendment increases the Grant Agreement award by \$42,500 to Skagit County with Skagit County providing a 15% match in the amount of \$7,500 for a new award total not to exceed \$310,000. All other terms and conditions of the original Agreement and prior Amendments shall remain in effect including the termination date of November 2, 2020. **(Amendment No. A20200031)**
26. Amendment No. 1 to RCO (Recreation and Conservation Office) Project Agreement No. C20190408 with Washington State Recreation and Conservation Office through the Salmon Recovery Funding Board for the grant award to Skagit County in the amount of \$108,501 for the Skiyou Rock Removal Preliminary Design Project # 18-1487P. This Amendment increases the grant total by \$20,000 for a total grant amount not to exceed \$128,501. All other terms and conditions of the original Agreement shall remain in effect including the termination date of January 1, 2021. **(Amendment No. A20200032)**
27. Temporary Construction Easement on parcel P48338 granted by Paul L. Berg, Diane J. Berg, Devin V. Berg and Paula M. Berg to allow Skagit County, its contractors, agents and permittees the right to enter upon easement area for the purpose of constructing the Colony Mountain Drive Culvert Replacement Project #ES24100-2. Compensation shall not exceed \$937.30. The Agreement shall commence on the date of execution and continue for one year. **(Contract No. C20200092)**
28. Culvert Easement on parcel P48338 granted by Paul L. Berg, Diane J. Berg, Devin V. Berg and Paula M. Berg to allow Skagit County, its contractors, agents and permittees a permanent easement for the purpose of constructing and maintaining the Colony Mountain Drive Culvert Replacement Project #ES24100-2. Compensation shall not exceed \$157.95. The Agreement shall commence on the date of execution and continue in perpetuity. **(Contract No. C20200093)**
29. Amendment No. 3 to Contract No. C20170163 with Arrow Launch Service, Inc. to provide Temporary Passenger-Only Ferry Service between Anacortes and Guemes Island. This Amendment extends the term of the Agreement by one year and increases compensation by \$100,000. Total compensation shall not exceed \$309,000. The new term shall expire on March 31, 2021. All other terms and conditions of the original Agreement and prior Amendments shall remain in effect. **(Amendment No. A20200033)**
30. Resolution for the Declaration of Emergency for the repair and/or replacement of the Guemes Island Ferry generator. **(Resolution No. R20200035)**
31. Resolution to award the bid for the procurement of Maintenance Materials with Annual Purchases Expected to Exceed \$25,000 to the following vendors: Beaverlake Quarry, McAsphalt Industries Limited, Miles Sand & Gravel, Lakeside Industries Inc., Martin Marietta Materials, Granite Construction and Skagit Aggregates. The bid opening was held on February 10, 2020. **(Resolution No. R20200036)**
32. Resolution awarding the bid for One (1) New Latest Model Three (3) Axle Pup Trailer to OSW Equipment & Repair, Inc. for the total amount of \$84,294.21 including sales tax. The bid opening was held on February 10, 2020. **(Resolution No. R20200037)**

m) SHERIFF:

33. Amendment No. 1 to Interagency Agreement No. C20190399 with the State of Washington Department of Commerce (DOC) through the Community Services and Housing Division, Public Safety Unit to allow Skagit County to participate in the Multi-Jurisdictional Drug-Gang Task Force Program, DOC Agreement No. F17-31440-011 to amend "Attachment B Budget" to reflect the change that up to \$114,927 may be used for Goods and Services. The cap on transferring funds between categories of expense is eliminated. Compensation to Skagit County remains unchanged and shall not exceed \$114,927. All other terms and conditions of the original Agreement shall remain in effect including the termination date of June 30, 2020. **(Amendment No. A20200034)**
34. Resolution to approve the purchase of tactical armor in the amount of \$8,326.42 from Aardvark Tactical for the Sheriff's Office pursuant to RCW 36.32.245 and RCW 39.32.090. **(Resolution No. R20200038)**
35. Agreement with Public Safety Testing, Inc. to assist in the development of promotional testing for the Sheriff's Office Corrections Lieutenant position. Professional fees include Semi-custom Written Exam (\$149 per candidate, minimum of 10 candidates), Command Skills & Abilities Promotional Test (\$1,950 plus \$1,000 per candidate for 3 candidates) and travel expenses for the Public Safety Testing employees. Total compensation shall not exceed \$9,000. The Agreement shall commence on the date of execution and continue until the promotional process methodology has been completed. **(Contract No. C20200094)**
36. Software License Agreement with USB Detective to provide software license for USB Detective services for the Skagit County Sheriff's Office. Compensation shall not exceed \$299.25 for the first year. Maintenance Agreements after the first year will be invoiced annually at 50 percent of the professional license retail price. The Agreement shall commence on the date of execution and continue until terminated. **(Contract No. C20200095)**

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 Benefit Focus TBA Wex Health Inc. from Clearing Fund 696 in the total dollar amount of \$144,645.90 (Transmittal No. C-25-20); and
 - b) Warrants numbered 514280 through 514280 from Clearing Fund 696 in the total dollar amount of \$3,949 (Transmittal No. C-26-20); and
 - c) Warrants numbered 514281 through 514659 from Clearing Fund 696 in the total dollar amount of \$999,670.85 (Transmittal No. C-27-20); and
 - d) Warrants numbered 514660 through 514660 from Clearing Fund 696 in the total dollar amount of \$20,000 (Transmittal No. C-28-20); and
 - e) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$3,244.77 (Transmittal No. C-29-20); and
 - f) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$178,371.76 (Transmittal No. C-30-20); and
 - g) ACH Transfer Request Form and Certification to Delta Dental from Clearing Fund 696 in the total dollar amount of \$70,743.25 (Transmittal No. C-31-20); and

- h) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$204,373.26 (Transmittal No. C-32-20); and
- i) Warrants numbered 514661 through 514957 from Clearing Fund 696 in the total dollar amount of \$2,236,005.42 (Transmittal No. C-33-20); and
- j) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$21,068.84 (Transmittal No. C-34-20); and
- k) Warrants numbered 514958 through 514991 from Clearing Fund 696 in the total dollar amount of \$110,235.58 (Transmittal No. C-35-20); and
- l) Payroll warrants numbered 432384 through 433112 in the total dollar amount of \$1,329,354.99 (Transmittal No. P-09-20); and
- m) Junior District Payroll warrants numbered 824470 through 824539 in the total dollar amount of \$113,885.83 (Transmittal No. P-10-20).

Chair Wesen recessed the proceedings at 1:43 p.m.

- e) *2:30 p.m. - 3:00 p.m. Executive Session (Potential Litigation - RCW 42.30.110(1)(i))

Chair Wesen reconvened the proceedings at 2:32 p.m. and announced that they would be going into an executive session for approximately thirty minutes regarding potential litigation.

Chair Ron Wesen, Commissioner Kenneth A. Dahlstedt and Commissioner Lisa Janicki attended an executive session on Monday, March 9, 2020, 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: Prosecuting Attorney Rich Weyrich, Chief Civil Deputy Prosecuting Attorney Melinda Miller, and Civil Deputy Prosecuting Attorney Julie Nicoll. Other attendees included: County Administrator Trisha Logue, Planning and Development Services Director Hal Hart, Planning and Development Services Assistant Director Michael Cerbone, Building Official Jack Moore, and Long Range Planner Peter Gill.

Chair Wesen announced that the executive session had ended at 3:20 p.m. and that no action had taken place.

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

Chair Wesen reconvened the proceedings at 3:24 p.m. and announced that they would be going into an executive session for approximately one hour regarding potential litigation.

Chair Ron Wesen, Commissioner Kenneth A. Dahlstedt and Commissioner Lisa Janicki attended an executive session on Monday, March 9, 2020, at 3:24 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: Prosecuting Attorney Rich Weyrich, Chief Civil Deputy Prosecuting Attorney Melinda Miller, Senior Civil Deputy Prosecuting Attorney Will Honea. Other attendees included: Planning and Development Services Director Hal Hart, Planning and Development Services Assistant Director Michael Cerbone, Senior Water Resources Planner Alison Mohns, Senior Planner/Natural Resources Team Supervisor Betsy Stevenson, and Public Works Director Dan Berentson.

Chair Wesen announced that the executive session had ended at 4:20 p.m. and that no action had taken place.

III. ADJOURNMENT:

Chair Wesen adjourned the proceedings at 4:20 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**

Ron Wesen, Chair

Kenneth A. Dahlstedt, Commissioner

Lisa Janicki, Commissioner

ATTEST:

Clerk of the Board