

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS

Tuesday, January 10, 1984

8:30 a.m. Work Session - Public Works Department Road Supervisors.

9:00 a.m. Public Works Department - Gene Sampley, Director:

1. Public Hearing - franchise fees.
2. Flood damage status report.

Miscellaneous:

Public Works Department related items.

MISCELLANEOUS ITEMS

1:30 p.m. Parks, Recreation and Senior Services - Jon Aarstad, Director:

1. Bid Opening - Skagit Multi-Purpose Facility.
2. Miscellaneous items.

MISCELLANEOUS ITEMS

2:00 p.m. Planning Commission Referred Items:

1. Sterling View Estates Preliminary Plat - Naganti Brothers, Inc.

The Skagit County Board of Commissioners met in regular session with Commissioners Norris, Mansfield, and Rohrer were present.

PUBLIC WORKS DEPARTMENT

Public Hearing - Franchise Fees

Diane Baker, in behalf of Jerry McInturff, read the Notice of Public Hearing as published in the Skagit Valley Herald December 23 and 30, 1983.

Commissioner Norris stated that the reason for the public hearing was to either eliminate Nationwide Cablevisions' franchise fee or assess fees for all cable television franchises.

Gene Sampley, Director of Public Works Department, stated that the memo from his Department stated that Nationwide Cable Vision was the only franchise now paying a fee and that a memo from Tom Moser, County Prosecutor, stated that the Board was within their rights to impose a franchise fee on other cable television franchise holders.

Chairman Norris asked what Nationwide Cablevision's fees amounted to annually and was told approximately \$5,000. Chairman Norris then invited public response.

Maynard Polkinghorn of Concrete Cable stated that he had no objection to dropping Nationwide Cablevision's fees, but he did have objection to adding franchise fees to his expenses. He said he believed that if a fee was imposed it should be 3% of net income, not 3% of the gross.

Chris Duros of Lake TV had no objection dropping Nationwide's franchise fee. He did object to one for his company. He stated it would result in his being unable to use a potential of \$15,000 capital money for improving his company.

Chairman Norris made a motion to close the Public Hearing. Commissioner Mansfield seconded the motion. The motion was carried unanimously.

Commissioner Mansfield inquired what the cities charged for franchise fees. the following was quoted:

Mount Vernon	- 7%
Sedro Woolley	- 6½%
Burlington	- 3%
Concrete	- 2%

Chairman Norris noted that the County has an expense which needs to be passed on to the appropriate companies. Commissioner Mansfield stated that the cost of the franchise fee is going to be passed on to the customer and feels that there should be consistency in the treatment of all cable companies and doesn't feel that 3% is unreasonable. The Board all agreed on this.

Commissioner Mansfield made a motion to levy a 3% franchise fee on all cable companies operating within the County. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

Gene Sampley stated that the Public Works Department sent letters to each of the companies involved with the franchise fees. Chairman Norris stated that a copy of the resolution would be sent to each of the companies.

Flood damage status report.

Gene Sampley, Director-Public Works Department, presented a report prepared by the Department of Emergency Services outlining the flood damage within the County:

- Approximately \$65,000 damage to property, including three mobile homes.
- Approximately \$95,000 damage to land accounting to the Skagit County Soil Conservation District.
- Approximately \$85,000 damage to roads and streets.

Discussion ensued regarding various road and street damage. Gene Sampley felt that there was not sufficient damage to declare for disaster funds. There would be long delays with probably no success. The main damage was should scour and he felt the Public Works Department should begin repair work right away and approach it one project at a time. The Board agreed

Miscellaneous Items - Public Works Department

L. Roger Howard presented two Work Order Changes:

- a. The first one concerned an error made by an employee of a subcontractor who transposed some numbers creating a shortage of \$14,000 in the contract. Roger and his staff went over the books very carefully and agreed this money should be reimbursed. The Board agreed and signed the order.

- b. The second change order relates to a piling in the District Court area that was 10 feet short. The contractor will do the work and we will pay for the 10 feet needed to correct the shortage. The Board signed the order.
2. Dr. Karl Schaff, Superintendent of the Concrete School District, presented a problem they were having in picking up three students at the end of Baker Lake Road because the County stopped snow removal about five miles short of the pick up place. Gene Sampley reported that this area belonged to Whatcom County and that if Dr. Schaff contacted the Whatcom County Commissioners and requested that they request Skagit County to do the plowing all the way to the end of the area, they then could comply. Dr. Schaff stated he would make contact with the Whatcom County Commissioners and get back to Gene Sampley.
3. Gene Sampley presented the Board with the new reorganization chart of the Public Works Department.

MISCELLANEOUS ITEMS

Robert Taylor, Commissioners Assistant, presented the Board with the following items:

1. Jerry Mansfield made a motion to adopt Resolution #9919 appointing Dave Duvall to the Skagit County Park and Recreation Advisory Board. Commissioner Rohrer seconded the motion. The motion was carried unanimously.
2. Commissioner Mansfield made a motion to approve a Taxpayers Claim for Reduction on Assessments on Destroyed Real or Personal Property for Skagit Properties #2, in the amount of \$\$500.00. Pet: 547
3. Commissioner Mansfield made a motion to approve a Taxpayers Claim for Reduction on Destroyed Real or Personal Property for Oddmund Valum for \$80.00. (Pet: 546) Commissioner Rohrer seconded the motion. The motion was carried unanimously.

PARKS, RECREATION AND SENIOR SERVICES DEPARTMENT

Bid Opening - Skagit Multi-Purpose Facility

Diane Baker, in behalf of Jerry McInturff, Auditor, read the Notice of Call for Bid as published in the Skagit Valley Herald December 16 and December 23, 1983, and in the Daily Journal of Commerce on December 19 and 23, 1983. The following bids were received:

Gilbert Construction
P.O. Box 579
Bellingham, WA 98225

L. J. Gilbert, Owner

Base Bid: \$377,800.00
Bid Bond: A Surety Bond in the amount of \$20,000.00 was submitted.

Hanson and Associates
1235 Wedgewood Drive
Burlington, Washington

Rick Hanson, Owner

Base Bid: \$379,000.00
Bid Bond: Surety bond was submitted in the amount of 5% of bid.

Hanson Brothers Construction, Inc.
2071 Gripp Road
Sedro Woolley, WA 98284

Gary Hanson, Owner

Base Bid: \$378,700.00
Bid Bond: Surety bond was submitted in the amount of 5% of bid.

Dorcas Construction, Inc.
P. O. Box 30967
Seattle, Washington 98117

John Dorcas, Owner

Base Bid: \$373,650.00
Bid Bond: Surety bond was submitted in the amount of 5% of bid.

Fisher & Sons, Inc.
P. O. Box 534
Burlington, Washington 98233

Charles Fisher, Owner

Base Bid: \$357,720
Bid Bond: Surety bond was submitted in the amount of 5% of bid.

R. C. Nelson Construction
116 South 294th Place
Federal Way, Washington 98003

Robert Nelson, Owner

Base Bid: \$389,650.00
Bid Bond: Surety bond was submitted in the amount of 5% of bid.

Kiels, Inc.
8223 Guide Meridian
Lynden, Washington 98264

Robert Kiel, Owner

Base Bid: \$380,250.00
Bid Bond: Surety bond was submitted in the amount of 5% of the bid.

Jon Aarstad, Director, Parks Department, will review the bids and report back to the Board of County Commissioners.

Parks - Miscellaneous

1. The Board approved for signature/^{two} school facility use agreements with Burlington School District.
2. The Board approved for signature a school facility use agreement with Mount Vernon School District.
3. The Board approved for signature a professional service contract with Ron Huffstodt as a basketball official.
4. The Board approved for signature a professional service contract with David Wood for coaching the Junior Basketball Program.

PLANNING COMMISSION REFERRED ITEM

Sterling View Estates Preliminary Plat, Nagatani Brothers, Inc.

Steve Wood of the Permit Center presented the Board with an aerial map and a plat map.

Steve stated the Planning Commission held a public hearing on December 12, 1983, and recommended denial of the plat for the following reasons:

1. The proposed preliminary plat would place 29 additional residential lots adjacent to land in agricultural production. This would cause conflicts between residential and agricultural uses which may be detrimental to both. Agricultural odors, dust and pesticides would be spread to the proposed plat by northwest winds which may be harmful to residential lot owners and pets, who may then strive for limitations on agricultural practices on the adjacent lands. Additionally, with 29 residential lots there will be additional children and dogs in the area which would have an impact on livestock on land adjacent to the north.
2. Development of the proposed preliminary plat would remove 18.5 acres of prime agricultural land from agricultural production.
3. The proposed preliminary plat would have an adverse impact on traffic at the intersections of District Line Road with SR 20 and the Cook Road.
4. The proposed plat is not in compliance with the policies of the Skagit County Northwest District Comprehensive Plan text and map.

Some discussion followed regarding drainage and the impact it would have on Gages Slough. Commissioner Norris stated there were three alternatives the Board could take. They were 1) send the item back to the Planning Commission; 2) hold their own public hearing or 3) accept the Planning Commission's ruling.

Joyce Harmon, representing Nagatani Brothers, read a letter from Twede and Rode, Attorneys, where they urged the Board of Commissioners to hold their own public hearing.

Joe Soler, a local farmer, was present and urged the Board of Commissioners to uphold the Planning Commission's decision.

The Board discussed different points from the staff findings. Commissioner Mansfield made a motion based on four reasons previously stated to accept the recommendation of the Planning Commission which denied this preliminary request. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

MISCELLANEOUS ITEMS

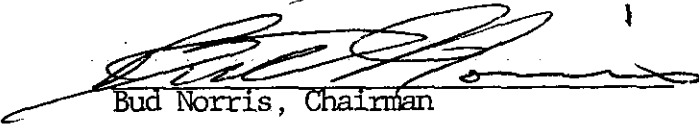
Robert Taylor, Commissioners Assistant, presented the following miscellaneous items:

1. Commissioner Mansfield made a motion to approve Warrants #8083 through #8216 for the amount of \$145,893.09. Commissioner Rohrer seconded the motion. The motion was carried unanimously. (C62)
2. Commissioner Mansfield made a motion to approve Warrants #55794 through 55835 in the amount of \$6,945.00. Commissioner Rohrer seconded the motion. The motion was carried unanimously. (PR-1)
3. Commissioner Mansfield made a motion to approve Warrants #33220 through #33270 for the amount of \$121,503.54. Commissioner Rohrer seconded the motion. The motion was carried unanimously. (R53)
4. The Board approved for signature the appointment of George Moe as Deputy County Clerk from January 10, 1984, to February 29, 1984.
5. Commissioner Rohrer made a motion to adopt Resolution #9920 appointing Dean Cunningham to the Skagit County Board of Adjustment as a board member. Commissioner Mansfield seconded the motion. The motion was carried unanimously.
6. Commissioner Rohrer made a motion to adopt Resolution #9919 appointing Dave Duvall as a board member on the Skagit County Park and Recreation Advisory Board. Commissioner Mansfield seconded the motion. The motion was carried unanimously.


ADJOURNMENT

Commissioner Mansfield made a motion to adjourn the proceedings. Commissioner Rohrer seconded the motion. The motion was carried unanimously.


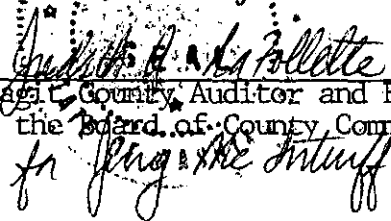
BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON


Bud Norris, Chairman


Jerry Mansfield, Commissioner


Dave Rohrer, Commissioner

ATTEST:



Skagit County Auditor and Ex-Officio Clerk
of the Board of County Commissioners