

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS

Tuesday, May 29, 1984

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

1. Bid Opening - Havekost Road improvements.
2. Bid Opening - Heating Conversion Courthouse Annex.
3. Bid Opening - Casing Installation - Sedro Woolley Sub-Flood Control Zone.
4. Public Hearing - Movement of overwidth farm equipment.
5. Call for Bids - Little Mountain Road reconstruction.
6. Resolution - Designation of Birch Lane as a one-way road.
7. Discussion - Ferry gates.
8. Discussion - Cook/Collins Road traffic control for road run.
9. Discussion - Burlington Northern request for closure on P. Anderson Road.
10. Miscellaneous items.

MISCELLANEOUS ITEMS

11:00 a.m. Parks, Recreation and Senior Services Department - Jon Aarstad, Director:

1. Discussion - Letter to the Department of Revenue regarding amendment to WAC 458-20-183 - Taxation of Amusement/Recreational Activities and Business.
2. Contract for Signature - Umpires Association.
3. Proclamation - Declaring June as Parks and Recreation Month.
4. Miscellaneous items.

1:30 p.m. Planning Department - Bob Schofield, Director:

1. Sewer Service Extension request of Jim Raper for the Skagit Speedway.
2. Discussion - Waterfowl Hunting Regulations on Padilla Bay.
3. Miscellaneous items.

MISCELLANEOUS ITEMS

2:30 p.m. Executive Session - Personnel.

The Skagit County Board of Commissioners met in regular session on Tuesday, May 29, 1984. Commissioners Norris, Mansfield and Rohrer were present.

PUBLIC WORKS DEPARTMENT - Gene Sampley, Director:

1. Bid Opening - Havekost Road improvements.

Megan Cheney, on behalf of Jerry McInturff, Skagit County Auditor and Ex-Officio Clerk of the Board of County Commissioners, read the Notice of Call for Bids, as published in the Skagit Valley Herald and Daily Journal of Commerce on May 4, 11, and 18, 1984.

The following bids were received:

- a. Krieg Construction, Inc.
70 W. Sleeper Road
Oak Harbor, WA 98277

Bid Bond enclosed (5% of Bid)
Total Bid: \$320,056.87
DB Total: \$36,823.50
WBE Total: 0

- b. Lakeside Industries
Anacortes Division
1165 Havekost Road
Anacortes, WA 98221

Bid Bond enclosed (5% of Bid)
Total Bid: \$256,034.45
DB Total: \$35,280.00
WBE Total: 0

The Public Works Department will review the bids and make a recommendation to the Board at a later date.

2. Bid Opening - Heating Conversion Courthouse Annex.

Megan Cheney, on behalf of Jerry McInturff, Skagit County Auditor and Ex-Officio Clerk of the Board of County Commissioners, read the Notice of Call for Bids, as published in the Skagit Valley Herald on May 4, 11, 18, and 25, 1984, and in the Daily Journal of Commerce on May 11, 15, 17, 22, and 24, 1984.

The following bids were received:

- a. Engel Mechanical Contractors
7760 185th N.E.
Redmond, WA 98052

Bid Bond enclosed (5% of Bid)
Base Bid: \$103,300.00

- b. N.W. Heating & Refrigeration, Inc.
P.O. Box 5706
Bellingham, WA 98227

Bid Bond enclosed (5% of Bid)
Base Bid: \$145,500.00

- c. Diamond "B" Plumbing & Heating, Inc.
P.O. Box 68
Bellingham, WA 98227-0068

Bid Bond enclosed (5% of Bid)
Base Bid: \$113,000.00

- d. Skagit Mechanical, a division of
McKinstry Company
855 South Barton Street
Seattle, WA 98108

Bid Bond enclosed (5% of Bid)
Base Bid: \$116,845.00

The Public Works Department will review the bids and make a recommendation to the Board at a later date.

3. Bid Opening - Casing Installation - Sedro Woolley Sub-Flood Control Zone.

Megan Cheney, on behalf of Jerry McInturff, Skagit County Auditor and Ex-Officio Clerk of the Board of County Commissioners, read the Notice of Call for Bids, as published in the Skagit Valley Herald and Daily Journal of Commerce on May 11, and 18, 1984.

The following bids were received:

- a. Tunnel Systems, Inc.
7205 N.E. 150th
Bothell, WA 98011

Bid Bond enclosed (\$2,000.00)
Total Bid: \$27,499.58

- b. Lee Johnson & Sons Construction
2088A Mud Lake Road
Mount Vernon, WA 98273

Cashier's Check enclosed (\$1,400.00)
Total Bid: \$27,950.00

- c. Armadillo Underground, Inc.
3840 Boone Road S.E.
Salem, OR 97301

Bid Bond enclosed (5% of Bid)
Total Bid: \$41,700.00

- d. Northwest Boring Company, Inc.
13248 N.E. 177th Place
Woodinville, WA 98072

Bid Bond enclosed
Total Bid: \$48,339.20

The Public Works Department will review the bids and make a recommendation to the Board at a later date.

4. Public Hearing - Movement of overwidth farm equipment.

Megan Cheney, on behalf of Jerry McInturff, Skagit County Auditor and Ex-Officio Clerk of the Board of County Commissioners, read the Notice of Public Hearing, as published in the Skagit Valley Herald on May 11, and 18, 1984.

John Rumsey, of the Public Works Department, reported that the intent of the proposed ordinance was to make the County's regulations uniform with the Department of Transportation's regulations regarding farm equipment through W.A.C. 468-38-290. He explained that two additional provisions would be added: one for emergency planting conditions and one for traffic control.

There was some discussion regarding the feasibility of the County posting signs warning motorists of overwidth farm equipment.

Van C. Hunt, 1722 Nelson Road, Mount Vernon, pointed out that farmers also encounter emergency conditions with planting. Gene Sampley, Director of the Public Works Department, stated that emergency planting conditions were covered under the W.A.C.

Lou Hyatt, representing Twin City Foods, stated that it is difficult to identify emergency conditions, because farmers are on such strict schedules for planting and harvesting.

Bob Hulbert, 2049 Dry Slough Road, Mount Vernon, suggested continuing this hearing until a committee composed of representatives from the farming community, Farm Bureau, Farm Crop Association, processors, County staff, law enforcement, etc., could meet to discuss the issue. The Board concurred with this request.

Richard Smith, a farmer, stated that he met with the State Patrol 10 or 12 years ago to discuss this issue. The State Patrol advised him to meet

with the County to adopt regulations and the State Patrol agreed to comply with these regulations, which are presently enforced.

Chairman Norris suggested placing signs on roadways frequently traveled by farm equipment, and also advised the Public Works Department to check with other counties regarding their policies.

Commissioner Mansfield noted that the farmers and the County should be equally responsible for these regulations.

Jerry Rindal stated that he doesn't have a County permit, although he does have State permits for his farm equipment. John Rumsey advised him to bring the permits in for the County to endorse. The County honors State permits as long as they are endorsed.

Commissioner Mansfield motioned to continue the public hearing regarding the Farm Implement Ordinance until 9:00 a.m., Tuesday, July 3, 1984. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

Leo Beld, of Farmers Equipment Co., 1589 Hwy 20, Burlington, requested that a representative from a farm implement dealership be included in the committee to discuss the proposed ordinance. Chairman Norris concurred and suggested that one representative from each interested group (i.e., farmers, implement dealers, etc.) should be included in the committee.

5. Call for Bids - Little Mountain Road reconstruction.

Gene Sampley presented for the Board's review and approval the resolution authorizing a Call for Bids for the reconstruction of Little Mountain Road.

Commissioner Mansfield motioned to adopt the resolution authorizing the Auditor to issue a Call for Bids for the reconstruction of Little Mountain Road. Commissioner Rohrer seconded the motion. The motion was carried unanimously. (Resolution #10082)

The bids will be received and publicly opened at 9:00 a.m., Tuesday, June 19, 1984.

6. Resolution - Designation of Birch Lane as a one-way road.

Gene Sampley presented for the Board's review and approval a resolution designating Birch Lane a one-way road to northbound traffic.

Commissioner Rohrer motioned to adopt the resolution designating Birch Lane a one-way road to northbound traffic. Commissioner Mansfield seconded the motion. The motion was carried unanimously. (Resolution #10083)

7. Discussion - Ferry gates.

Gene Sampley requested approval from the Board to change the ferry gates from steel to aluminum, noting that the steel gates have been troublesome to operate. Mr. Sampley stated that he had received estimates from the following:

a. Marine Welding, Anacortes	\$ 7,643
b. Hydraulic Fishing Supply, Inc., Anacortes	14,000+
c. Dakota Creek Industries, Anacortes	14,000+

The Board concurred in the need to accomplish this work for the most reasonable cost.

8. Discussion - Cook/Collins Road traffic control for road run.

John Rumsey, of the Public Works Department, presented for the Board's approval a resolution providing for the closure of Cook Road #6300 from 9:00 a.m. to 10:00 a.m. on June 9, 1984, from the intersection of Old 99 North to the city limits of Sedro Woolley for the United General Hospital Fun Run. He noted that several County flag persons will be hired for the crossing of Cook Road.

Commissioner Mansfield motioned to adopt the resolution providing for the closure of Cook Road. Commissioner Rohrer seconded the motion. The motion was carried unanimously. (Resolution #10084)

9. Discussion - Burlington Northern request for closure on P. Anderson Road.

Gene Sampley advised the Board that Burlington Northern has requested closure of the P. Anderson Road between Burlington and Sedro Woolley on June 6, 1984, from 8:00 a.m. to 4:00 p.m. for maintenance on the crossing.

10. Miscellaneous items.

Gene Sampley presented for the Board's approval a resolution initiating a County Road Project on the Beaver Lake Road.

Commissioner Mansfield motioned to adopt the resolution initiating C.R.P. #0511-1 for installation of a multi-plate pipe arch on Mundt Creek on the Beaver Lake Road. Commissioner Rohrer seconded the motion. The motion was carried unanimously. (Resolution #10085)

MISCELLANEOUS ITEMS

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

1. Commissioner Rohrer motioned to approve Warrants #56479 through #56605 in the amount of \$198,024.45. Commissioner Mansfield seconded the motion. The motion was carried unanimously. (P/R 10)
2. Commissioner Mansfield motioned to approve Warrants #1103 through #1471 in the amount of \$482,166.84. Commissioner Rohrer seconded the motion. The motion was carried unanimously. (P-6)
3. Commissioner Rohrer motioned to approve Warrants #34841 through #34874 in the amount of \$187,168.54. Commissioner Mansfield seconded the motion. The motion was carried unanimously. (R-20)
4. Commissioner Rohrer motioned to approve the Record of the Proceedings for Monday, May 21, 1984, and Tuesday, May 22, 1984. Chairman Norris seconded the motion. The motion was carried and so ordered.
5. Commissioner Mansfield motioned to approve the Record of the Proceedings for Monday, April 30, 1984, and Tuesday, May 1, 1984. Commissioner Rohrer seconded the motion. The motion was carried and so ordered.
6. The Board approved for signature a Contract for Professional Services between the Skagit County Parks and Recreation Department and John Keates, 1196 Mary Lane, Burlington, Washington 98233, for services as program and facility supervisor for County sponsored recreation programs. Compensation is \$5.00 per hour and the contract will be in force from May 10, 1984, until December 31, 1984.

PARKS, RECREATION AND SENIOR SERVICES DEPARTMENT - Jon Aarstad, Director:

1. Discussion - Letter to the Department of Revenue regarding amendment to WAC 458-20-183 - Taxation of Amusement/Recreational Activities and Business.

Jon Aarstad presented for the Board's review and approval a letter to the Department of Revenue stating Skagit County's concern with the implementation of this tax and the intent of the Department of Revenue. The letter specifically requested the following:

- a. The Department of Revenue amend the amendment to exclude governmental Parks and Recreation agencies from this tax, and
- b. The Department of Revenue consider the dedication of at least 40 percent of the Recreation and Amusement tax to the Outdoor Recreation Account for State and local facility funding.

The Board approved the letter to the Department of Revenue for signature.

2. Contract for Signature - Umpires Association.

The Board approved for signature the Contractual Agreement between the Skagit County Parks and Recreation Department and the Skagit Slowpitch Umpires Association.

3. Proclamation - Declaring June as Parks and Recreation Month.

Commissioner Mansfield motioned to approve the resolution proclaiming the month of June, 1984, as Parks and Recreation month. Commissioner Rohrer seconded the motion. The motion was carried unanimously. (Resolution #10086)

4. Miscellaneous items.

There were no Parks, Recreation and Senior Services Department miscellaneous items.

PLANNING DEPARTMENT - Bob Schofield, Director:

1. Sewer Service Extension request of Jim Raper for the Skagit Speedway.

Otto Walberg, of the Planning Department, presented the findings of the Planning Department regarding the request to extend sewer service to the Skagit Speedway restroom facilities. Mr. Walberg stated that Tom Karsh, Environmental Health Specialist III, had no objection to the sewer service extension request. The Planning Department recommended approval, subject to the condition that the sewer hookup at the facility be limited to the restroom facilities.

Chairman Norris pointed out that the resolution should state that the sewer service extension is for the purpose of serving the Skagit Speedway restroom facility only. The Board concurred with this.

Commissioner Mansfield motioned to adopt the resolution approving the sewer service extension request of Jim Raper for the Skagit Speedway restroom facilities. Commissioner Rohrer seconded the motion. The motion was carried unanimously. (Resolution #10097)

2. Discussion - Waterfowl Hunting Regulations on Padilla Bay.

Bob Schofield, Planning Director, explained that this meeting was called to discuss a letter received by the Board from Terry Stevens, Director of the Padilla Bay National Estuarine Sanctuary. Mr. Stevens' letter explained the Department of Game's regulation of waterfowl hunting on Padilla Bay.

Chairman Norris asked why the Department of Game is restricting waterfowl hunting on Padilla Bay.

Mike Davidson, of the Department of Game, was present to explain the Department's efforts to save the brant population, which has been declining steadily for the past 20 years. After trying other methods to protect the brant, the Department of Game was finally forced to close the brant hunting season state-wide. At this time the Department of Game is researching the nesting and feeding habits of the brant, as well as trying to establish reserves in the bay for the brant. Mr. Davidson explained that improved nesting conditions, combined with the lack of a hunting season, have contributed to the current increase of the brant population.

Mr. Davidson pointed out that it is the policy of the Padilla Bay National Estuarine Sanctuary to allow continuation of historic uses of the Bay which are consistent with state statutes and regulations. The Department of Game's rules and regulations are in no way influenced by the Padilla Bay Sanctuary's views. The brant waterfowl population is in need of protection at this time, and that is what the Department of Game is trying to do.

Chairman Norris stated that he received calls from people who did not feel they were properly informed of the closure of the season. Mr. Davidson stated that a public hearing was held and notices of closure were posted. However, the citizens along the Bay were not notified personally, as Mr. Davidson felt they could have been.

Chairman Norris asked if those who still feel they don't understand the Department of Game's actions could meet with the Department. Mr. Davidson stated that he has met with many people who have called. He added that when the new reserve is closer to becoming a reality, the Department of Game will hold another hearing and also notify the County.

Mr. Stevens emphasized that the existing uses of Padilla Bay at the time the Sanctuary was established (i.e. fishing, hunting and boating) will continue. The Department of Game is charged with the regulation of state waterfowl hunting.

The Board thanked Mr. Stevens and Mr. Davidson for their discussion.

3. Miscellaneous items.

Bob Schofield, Planning Director, presented the following items:

- a. The Board approved for signature a Contract for Professional Services between the Skagit County Permit Center and Materials Testing and Consulting, 1021 Riverside Drive, Mount Vernon, Washington, for building inspector services at \$18.00 per hour. This contract shall be in force from June 4, 1984 through June 29, 1984.

- b. The Board was informed that the State Sewage Code is in the final stages of completion. The Planning Department requested a date for a public hearing to be held on the matter.

Commissioner Mansfield motioned to call for a public hearing to be held at 9:00 a.m., Monday, June 11, 1984. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

- c. Regarding Commercial usage of Residential zones, the Board was informed that there were two options: (1) The Board could adopt a County policy on the matter, or (2) the Planning Commission could recommend an amended definition in the Zoning Ordinance. The Board requested that the matter be sent to the Planning Commission for a recommendation.
- d. The Board was informed that the last Board of Adjustment meeting was canceled due to lack of a quorum. The Board requested that a meeting be called to discuss the existence of the Board of Adjustment.

MISCELLANEOUS ITEMS

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

1. The Board reviewed the following Taxpayer's Claims for Reduction of Assessments on Destroyed Real or Personal Property:
 - a. Donald L. H. Johnson, 2345 Lake Cavanaugh Road, Mount Vernon, Washington 98273, in the amount of \$7,600 because approximately 3 to 4 acres are under water year around. (#587)
 - b. Richard E. Kilby, 1409 Inez Street, Bow, Washington 98232, in the amount of \$6,260 because a house was torn down. (#588)

Commissioner Mansfield motioned to approve the above listed Taxpayer's Claims, as recommended by the Assessor. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

2. Commissioner Mansfield motioned to approve Warrants #2641 through #2777 in the amount of \$101,054.34. Commissioner Rohrer seconded the motion. The motion was carried unanimously. (C-27)

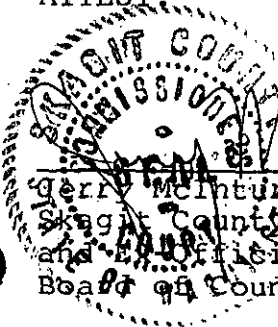
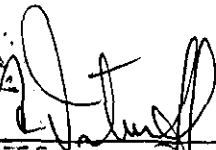
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ADJOURNMENT

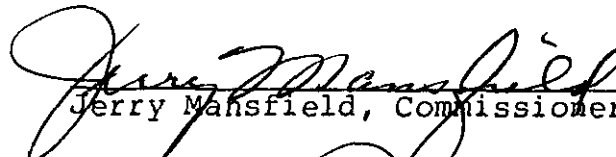
Commissioner Mansfield motioned to adjourn the proceedings. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON

ATTEST:

A circular seal with the text "SKAGIT COUNTY BOARD OF COMMISSIONERS" around the perimeter. In the center, there is a smaller seal with the text "OFFICE CLERK OF THE BOARD OF COUNTY COMMISSIONERS".

Gerry McInturff
Skagit County Auditor
and Office Clerk of the
Board of County Commissioners


Bud Norris, Chairman


Jerry Mansfield, Commissioner


Dave Rohrer, Commissioner