

RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS

Tuesday, June 19, 1984

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

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

1. Bid Opening - Little Mountain Road Project.
2. Call for Public Hearing - Speed Limit Sauk Prairie Road.
3. Signature - Havekost Road Project Contract.
4. Signature - City/County Agreement Rosario Road.
5. Discussion (continued) - Rose Road.
6. Discussion - Disposal of County Property on Walker Valley Road.
7. Miscellaneous items.

10:00 a.m. Executive Session - Personnel.

11:00 a.m. Joy Harris Appeal of the Skagit County Assessor's Decision on Claim for Reduction of Assessments on Destroyed Real or Personal Property.

MISCELLANEOUS ITEMS

1:30 p.m. Charles Dodd Special Use Permit SP-82-010 (Revised) - Review of Permit for Compliance with Conditions of Approval.

The 'Skagit County Board of Commissioners met in regular session on Tuesday, June 19, 1984, with Commissioners Norris, Mansfield, and Rohrer present.

PUBLIC WORKS DEPARTMENT - Gene Sampley, Director:

1. Bid Opening - Little Mountain Road Project.

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 June 1, and June 8, 1984.

The following bids were received:

- a. Lakeside Industries  
Anacortes Division  
P.O. Box 729  
Anacortes, WA 98221

Bid Bond enclosed (5% of Bid)  
Total Bid: \$191,923.18

- b. Henifin & Associates, Inc.  
3857 Hannegan Road  
Bellingham, WA 98226

Bid Bond enclosed (5% of Bid)  
Total Bid: \$160,521.65

- c. Associated Sand & Gravel Company, Inc.  
P.O. Box 2037  
Everett, WA 98203

Bid Bond enclosed (5% of Bid)  
Total Bid: \$173,083.18

- d. General-Power Corporation  
P.O. Box 70605  
Seattle, WA 98107

Bid Bond enclosed (5% of Bid, not to exceed \$12,500.00)  
Total Bid: \$179,734.00

- e. Skaqit County Development Corporation  
P.O. Box 329  
Burlington, WA 98233

Bid Bond enclosed (5% of Bid, not to exceed \$9,500.00)  
Total Bid: \$169,380.61

- f. Mel Hicks Construction  
7178 Dahlberg Road  
Ferndale, WA 98248

Bid Bond enclosed (5% of Bid, not to exceed \$10,000.00)  
Total Bid: \$175,392.00

- g. Valley paving Construction  
P.O. Box 403  
Sedro Woolley, WA 98284

Bid Bond enclosed (5% of Bid)  
Total Bid: \$189,059.30

- h. One Way Construction, Inc.  
215 North Reed St.  
Sedro Noolley, WA 98284

Bid Bond enclosed (5% of Bid)  
Total Bid: \$170,694.40

The Public Works Department will review the bids and make a recommendation on award of the bid at a later date.

2. Call for Public Hearing - Speed Limit Sauk Prairie Road.

Gene Sampley stated that a petition has been received from certain residents of West Sauk Prairie Road requesting a speed limit of 25 m.p.h. be established on a portion of said road.

Commissioner Mansfield motioned to adopt the resolution authorizing the County Auditor to publish a Notice of Public Hearing to set the speed of motor vehicles traversing the West Sauk Prairie Road from Milepost 0.00 to Milepost 0.57 not to exceed 25 m.p.h. Commissioner Rohrer seconded the motion. The motion was carried unanimously. (Resolution #10106)

The public hearing is scheduled for 9:00 a.m. on Tuesday, July 17, 1984.

3. Signature - Havekost Road Project Contract.

The Board approved for signature the Contract with Lakeside Industries for the Havekost Road and Marine Drive improvements.

4. Signature - City/County Agreement Rosario Road.

The Board approved for signature the Washington State Department of Transportation City/County Agreement for the safety improvement project on Rosario Road #1031. This agreement in the amount of \$116,961, provides for 90 percent Federal participation.

The Board also approved for signature the revised Project Prospectus to include both improvements to the guardrail.

5. Discussion (continued) - Rose Road.

Gene Sampley stated that the County survey crew surveyed the Rose Road and found basically what Mr. and Mrs. Glen Raught claimed, that the majority of the road runs inside their property line, as established by vacation. In the extreme northern section, it has encroached beyond the vacated portion of road.

Mrs. Eugene Kraha, and Mr. and Mrs. William Chartan, who also live on the Rose Road, were present. Their houses are placed quite close to the actual right-of-way of the Rose Road.

Mr. Sampley stated that a 40-foot right-of-way for the Holmes Road, which was never built, lies on the Raught's property line. A possible solution would be to vacate this right-of-way at no cost. This would preserve the size of the Raught's lot as their half of the Holmes Road right-of-way would be 26,420 square feet, and the encroachment is approximately 25,400 square feet. Mr. Sampley stated that a further complication on the Rose Road is that most of the parcels have excepted 30 feet of right-of-way

from their deeds, but so far, the County has found no record that the County owns the right-of-way.

Mr. Raught stated that his neighbor, Mr. Trainor, put several hundred feet of road in on the Holmes Road to access his property.

Mrs. Raught stated that in 1976 when people moved mobile homes in, she and her husband protested the placement so close to the road.

Gene Sampley stated that the County should also purchase an additional strip of property from the Raughts to maintain the ditch and shoulder of the Rose Road.

The Raughts will consider selling additional right-of-way to the County and will negotiate further.

6. Discussion - Disposal of County Property on Walker Valley Road.

Gene Sampley stated that Mr. Clay Imhof, who was interested in obtaining an easement to his property, has been contacted, and had no objection to the County surplusing the entire parcel through auction.

7. Miscellaneous items.

The following miscellaneous Public Works Department items were addressed:

- a. Tom Oakes, Fire Marshal, presented two fireworks display permit applications for the Board's consideration from the Big Lake Fire District and the Burlington Chamber of Commerce. John McNew was present from the Burlington Chamber of Commerce to request an exception to the 10-day notification requirement based on unique circumstances with this project. The Board approved the two display permits, and authorized a fireworks stand application from Ted Shelver.
- b. The Board approved for signature the application for grant assistance from the Washington State Department of Ecology and the Clearing House Review form for the Solid Waste Consultant Agreement for the updating of the Solid Waste Management Plan and planning for the Inman Landfill utilization.
- c. Commissioner Mansfield motioned to adopt the resolution initiating County Road Project (C.R.P.) No. 4461-1 to rebuild Beavermarsh Road to the dike height, from Milepost 6.6 to Milepost 6.11. This project will be accomplished in cooperation with Dike District #1, who requested elevation of the road to protect property.

Commissioner Rohrer seconded the motion. The motion was carried unanimously. (Resolution No. 10107)

- d. Gene Sampley stated that he has floated the Skagit River and reviewed erosion, debris, and the old car body situations. The Board requested that the project to remove old car bodies be established for September or October if possible. The Public Works Department will prepare an overall plan for cleaning up the river and present it to the Board at a later date.

#### MISCELLANEOUS ITEMS

Commissioner Rohrer motioned to approve Warrants #34991 through #35026 in the amount of \$21,284.75. Commissioner Mansfield seconded the motion. The motion was carried unanimously. (R-23)

#### JOY HARRIS APPEAL OF THE SKAGIT COUNTY ASSESSOR'S DECISION ON CLAIM FOR REDUCTION OF ASSESSMENTS ON DESTROYED REAL OR PERSONAL PROPERTY.

Bob Lee, Chief Deputy, Assessor's Office, explained that the actual property destroyed by EDB was the well, and thus his office removed \$2,500 from the assessment of the property. The Health Department has examined several methods of providing water to the property, namely filtration of the chemical and drilling a deeper well. There is no guarantee that either of these methods would provide safe water at an economically feasible cost. Mr. Lee stated that his office acted carefully with this reduction because he felt this case will set a precedent. He stated that the property is currently taxed as Residential. The total assessment before the reduction was \$29,450. The reduction of \$2,500 per year when pro rated became a reduction of \$2,270 for the current year.

David Bricklin, of Bricklin & Gendler, Attorneys at Law, stated that he represented Mr. and Mrs. Joy Harris, who were also present. He stated that even if they were to drill another deeper well, there is no guarantee that it would find water, or that the water would not also be contaminated. He stated that the estimated cost of drilling a deeper well was \$6,500 to \$10,000. He pointed out that the market value of this property has been substantially reduced because of lack of a safe water source. Mr. and Mrs. Harris are presently living on the property because they cannot afford at this time to move. They are using bottled water.

Ken Willis, Environmental Health Specialist 11, stated that a total of four wells in that area have been found to be contaminated with EDB.

Bob Lee stated that the claimants requested that the property be assessed as Agricultural at a total value for 1 1/2 acres of \$1,500. Mr. Lee pointed out that Agricultural land in that area is valued at \$2,000 to \$3,000 per acre.

Joy Harris said he thought the property should be assessed as Agricultural. David Bricklin stated that his clients felt the property

should be assessed as Agricultural, whatever the fair value of Agricultural land in that area is.

Bob Lee stated that the building was assessed at \$22,210, and the property at \$7,240.

Chairman Norris pointed out that the building on the property would still have some value. David Bricklin questioned how much value a house with no water supply has.

Commissioner Mansfield asked when this well might become usable again. Ken Willis stated that the source has been abated, although there is no way of knowing when the EDB will be out of the water Supply. In any event, it will probably be a matter of years.

In answer to a question from Chairman Norris, Bob Lee stated that if the house was vacated, the Assessor would reduce the valuation. He stated that at the time the valuation was reduced, the Appraiser looked only at the destroyed portion of property, which was the well.

Commissioner Mansfield concurred that the property was now suitable only for agricultural land.

Chairman Norris stated that if the house is still inhabited, then it has some value.

David Bricklin stated that even if the house is inhabited, Mr. and Mrs. Harris are not going to find a buyer for it. They are still there only because they can't afford to leave yet.

Bob Lee suggested that Mr. and Mrs. Harris find out what a moving company would pay for the house, and then that could be assumed as the valuation of the house. Chairman Norris stated that the property alone could then be valued as Agricultural.

Mrs. Harris stated that they had their property sold, but lost the sale when their well was found to be contaminated.

The Board granted two weeks for review of the valuation, and will meet again on this item at 11:00 a.m. on July 2, 1984.

#### MISCELLANEOUS ITEMS

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

1. Commissioner Rohrer motioned to approve Warrants \$3100 through #3211 in the amount of \$370,117.58. Commissioner Mansfield seconded the motion. The motion was carried unanimously. (C-30)
2. The Board reviewed a memo from Duane Kline, Budget and Finance Director, regarding requests from five departments to purchase copy

machines. Mr. Kline recommended a joint purchase of five copy machines, if the Board concurred. The Board asked that this item be placed on the agenda for discussion.

3. As suggested by District Court Judge Eugene Anderson, the Board approved of designating the new jail building at 600 South Third Street as the Skagit County Public Safety Building.

Commissioners Norris and Rohrer were present for the following items. Commissioner Mansfield was absent.

CHARLES DODD SPECIAL USE PERMIT SP-82-01 (REVISED) - REVIEW OF PERMIT FOR COMPLIANCE WITH CONDITIONS OF APPROVAL.

Steve Wood, of the Permit Center, reported that so far there has been no change to the Dodd sawmill site and no contact with the owner. The trees were not planted, as instructed, no drainage plan was submitted, and as far as County staff knew, there was no noise reduction made.

On that basis, Steve Wood stated that he recommended revoking the permit.

Commissioner Rohrer motioned to revoke the Charles Dodd Special Use Permit **SP-82-010** (Revised) on the basis that the conditions of approval were not met. Chairman Norris seconded the notion. The motion was carried and so ordered.

Paul Meaney, 2072 Gripp Road, Sedro Woolley, asked what happens now with the drainage problem created by the sawmill. Chairman Norris replied that the County cannot correct the drainage, and he thinks that problem should be between Mr. Meaney and Mr. Dodd to resolve.

MISCELLANEOUS ITEMS

Gene Sampley, Director of the Public Works Department, recommended that the bid for the improvement of Little Mountain Road #7200 be awarded to Henifin & Associates, Inc., the lowest bidder to meet the specifications, for the total amount of **\$160,521.65**.

Commissioner Rohrer motioned to adopt the resolution awarding the bid for the improvement of Little Mountain Road to Henifin & Associates, Inc., in the amount of \$160,521.65. Chairman Norris seconded the motion. The motion was carried and so ordered. (Resolution #10108)

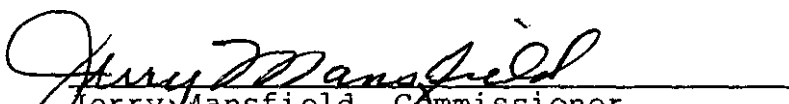
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ADJOURNMENT

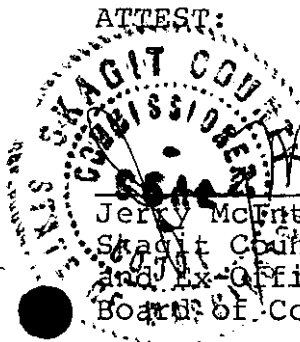
Commissioner Rohrer motioned to adjourn the proceedings. Chairman Norris seconded the motion. The motion was carried and so ordered.

BOARD OF COUNTY COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON

  
Bud Norris, Chairman

  
Jerry Mansfield, Commissioner

  
Dave Rohrer, Commissioner

ATTEST:  
  
Jerry McEnturff  
Skagit County Auditor  
and Ex-Officio Clerk of the  
Board of County Commissioners