

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS

Monday, August 19, 1985

Flag Salute

10:30 a.m. Public Works Department - Gene Sampley, Director:

1. Public Hearing - Vacation of a Portion of Right-of-Way Adjacent to Minkler Road.
2. Discussion - Septage/Leachate Disposal.
3. Discussion - Underground Utilities.
4. Miscellaneous Items.

MISCELLANEOUS ITEMS

The Skagit County Board of Commissioners met in regular session on Monday, August 19, 1985, with Commissioners Vaux, Walberg and Rohrer present.

PUBLIC WORKS DEPARTMENT - Gene Sampley, Director:

1. Public Hearing - Vacation of a Portion of Right-of-Way Adjacent to Minkler Road.

Megan Cheney, on behalf of Jerry McInturff, Skagit County Auditor and Ex-Officio Clerk of the Board, read the Notice of Public Hearing, as published in The Skagit Argus on July 30, and August 6, 1985.

Gene Sampley explained that this proposed vacation would allow for the necessary right-of-way for the Minkler Road construction. In order to clarify the deeds for both Skagit County and Amy Butler, the vacation of this property to Mrs. Butler was recommended by the Public Works Department.

Commissioner Rohrer elected to abstain from a decision on this matter, due to the fact that Mrs. Butler is his aunt.

In answer to a question from Commissioner Walberg, Mr. Sampley explained that Scott Paper sold to Skagit County a portion of right-of-way which was never theirs to begin with. The parcel in question is 1.05 acres in size, and was purchased by Skagit County for approximately \$3,000 from Scott Paper.

The Board concurred that Mrs. Butler was the innocent victim in this matter.

Chairman Vaux motioned to close the public hearing. Commissioner Walberg seconded the motion. The motion was carried and so ordered.

Commissioner Walberg motioned to vacate the above mentioned right-of-way to Mrs. Butler at no cost. Chairman Vaux seconded the motion. The motion was carried and so ordered.

Commissioner Walberg suggested the Public Works Department contact Scott Paper regarding reimbursement for the vacated property.

Jay Ensley, Assistant Director of the Public Works Department, explained that Scott Paper did have legal title and that the error was in the Butler deed which was issued in 1956.

The Board felt that some restitution was due the County, and instructed the Public Works Department to seek restitution from the title insurance company on Mrs. Butler's property.

2. Discussion - Septage/Leachate Disposal.

Gene Sampley explained that he had met with engineers from R. W. Beck and Poole Engineering to discuss the septage/leachate disposal problem and the anticipated improvements at the Burlington Waste Water Treatment Plant. Mr. Sampley suggested it might be possible to construct facilities at the Butler Pit area and tie into the trunk line coming from the Samish Water district. This would minimize concerns from the City of Burlington regarding operation of their plant and personnel requirements.

The Board felt this suggestion was a viable option, and instructed Mr. Sampley to pursue the option as well.

3. Discussion - Underground Utilities.

Mr. Sampley explained that the Public Works Department recently received invoices from Continental Telephone for damages to their buried utilities on Hoogdal Road and Lake Cavanaugh Road. The Public Works Department is refusing to pay these invoices because neither of these incidents were the result of excavation for which the County would be liable. Mr. Sampley indicated the response from Continental Telephone was abrupt, citing recent Substitute House Bill #857 as their reasoning for expecting compensation for these damages. However, Substitute House Bill #857 has no relevance in the issue in these cases. Mr. Sampley noted that if the utilities are going to press the provisions of this bill, it may be necessary to impose permit fees and inspection reimbursement for utilities installations within County rights-of-way.

The Board was invited to attend a Utility Coordinating Council meeting at Cascade Natural Gas on Wednesday, August 21, 1985, at 10:00 a.m., to discuss the matter further.

The Board concurred with Mr. Sampley's review of this matter.

4. Miscellaneous Items.

The following miscellaneous Public Works Department items were addressed:

- a. A discussion was held regarding the method of operation of the new landfill facilities.

Mr. Sampley explained that due to the various parameters of the new regulations, start-up of the new fill, and closure of the old fill, it would be in the best interest of the County to operate the landfill for at least a short time, such as with County forces.

No decision was made on this item. The matter will be brought before the Board again at a future date.

- b. Commissioner Rohrer motioned to adopt the resolution authorizing the Skagit County Auditor to issue a Call for Bids for four new truck cab and chassis units in 50,000-lbs GVWR range. Commissioner Walberg seconded the motion. The motion was carried unanimously. (Resolution #10583)

Bids will be received and publicly opened at 1:30 p.m., Monday, September 9, 1985.

- c. The Board approved for signature a lease with Youth Encouragement Service for the lease of a house in the fairgrounds area. The lease shall be automatically renewed annually, and shall expire in five years.

MISCELLANEOUS ITEMS

The following miscellaneous items were addressed:

1. Tom Karsh, Environmental Health Specialist III, explained that Larry Yeoman has passed the first of two inspections necessary for his pressure septage system. He has requested the second inspection be performed Monday, August 26, 1985. Mr. Karsh requested the Board's guidance on this matter.

The Board requested their previous decision be carried out, and the matter be turned over to the Prosecutor's Office.


2. Commissioner Rohrer motioned to approve Warrants #5347 through #5517 in the amount of \$105,373.70. Commissioner Walberg seconded the motion. The motion was carried unanimously. (C-40)

2. The Board approved for signature the Notice of Public Hearing to be sent to vicinity property owners with regard to the continuation of the EDB appeals hearing. The continued public hearing is scheduled for 7:30 p.m., Wednesday, August 28, 1985, at the Birdsvew Grange.
3. Commissioner Rohrer motioned to reschedule the public hearing regarding the Health Department's immunization fees to 9:00 a.m., Tuesday, September 3, 1985, (formerly August 26, 1985) due to publication requirements. Commissioner Walberg seconded the motion. The motion was carried unanimously.
4. Commissioner Rohrer motioned to approve a Petition for Property Tax Refund for Kyle Development Co., Inc., 205 108th Avenue N.E., Suite 103, Bellevue, Washington 98004, in the amount of \$152.65, because the assessed value was ordered by the Board of Equalization. Commissioner Walberg seconded the motion, as recommended by the Skagit County Assessor and Treasurer. The motion was carried unanimously. (#581170g)
5. Commissioner Rohrer motioned to approve the Record of the Proceedings for Monday, August 12, 1985. Commissioner Walberg seconded the motion. The motion was carried unanimously.
6. Commissioner Walberg motioned to approve the application and agreement for use of the Burlington-Edison High School gym, matroom and cafeteria for Rhythm Fitness exercise classes. The agreement shall be in effect September 16, through December 31, 1985, and the rental fee is \$20 per session. Commissioner Vaux seconded the motion. The motion was carried unanimously.

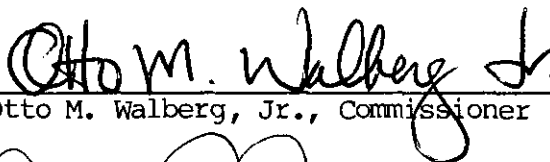
ADJOURNMENT

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

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON



W. W. Vaux, Chairman

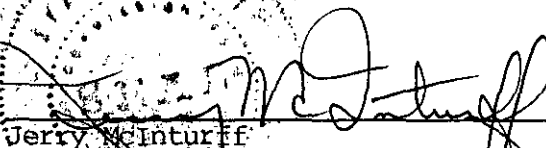


Otto M. Walberg, Jr., Commissioner



Dave Rohrer, Commissioner

ATTEST: COUNTY



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