

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS

Monday, December 9, 1985

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

Flag Salute

9:00 a.m. Board of Health:

1. Update on on-site sewage disposal problem at a medium sized restaurant.
2. Discussion of instituting an hourly charge for "Special Requests" made of Skagit County Health Department personnel.

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

1. Public Hearing - Road Establishment of Old Wagon Road.
2. Call for Bids - Crushing Upper Samish Pit.
3. Signature on Right-of-Way Plans - Lake Cavanaugh Road.
4. Signature on Professional Service Contract - Appraisal Property, Lake Cavanaugh Road.
5. Consideration of Plat Bond Foreclosure.
6. Shangri-La Flood Control Zone Committee Appointments.
7. Miscellaneous Items.

1:30 p.m.

1. Bid Opening - Motor Fuel.
2. Contract Signature - Mental Health Contract Amendment #2.
3. Contract Signature - January 1986 - June 1987 - Developmental Disabilities.
4. Resolution - Establishing 1986 Salaries for Skagit County Elected Officials.
5. Resolution - Establishing 1986 Non-Union Salary Increase and Health and Welfare Benefit Levels.

MISCELLANEOUS ITEMS

3:00 p.m. Work Session - Park Program Planning.

The Skagit County Board of Commissioners met in regular session on Monday, December 9, 1985, with Commissioners Vaux, Walberg and Rohrer present.

BOARD OF HEALTH:

1. Update on on-site sewage disposal problem at a medium sized restaurant.

Tom Karsh, Environmental Health Specialist III, noted that Virgil Nelson, owner of Country Corner Restaurant, and Lou Ankney, the retained septic system

designer, were present for this discussion. Mr. Karsh stated that the owner appears to be unwilling or unable to comply with all of the conditions recently approved by the Board for repair of the malfunctioning mound system.

Lou Ankney stated that he thought they had complied with the requests made by the County. He felt no work could be done to the mound at this time due to the weather and soil conditions. Mr. Ankney noted that approximately 500 gallons of water per day appears to be out of control. He stated that he intends to make some revisions as soon as weather and soil will allow it. Mr. Ankney agreed to pump out the existing tanks as needed, but didn't feel they would need to be pumped three times per week.

Chairman Vaux suggested the conditions of approval recommended by the Board be addressed individually.

Mr. Karsh explained that the first condition, requiring the owner to obtain an operational permit from the Permit Center, was to recover County staff costs for inspections (\$40 per month).

Mr. Nelson felt such inspection fees were unfair because this mound is providing a learning experience for County staff. He noted that he has already spent a great deal of money on the mound.

Chairman Vaux stated that the Board wants to protect the public health with a minimum of cost until the system can be repaired.

Mr. Ankney explained that he plans to make some immediate repairs to the system to reduce the health risk and required frequency of pump out; but that final repair will need to wait until site conditions dry out next summer.

Condition #2 would require the owner to submit a copy of a contract from a certified sewage system pumper to cover frequency and amount of wastewater removed from the site until a permanent system is installed.

With regard to the second condition imposed by the Board, Mr. Ankney asked why the pumped wastewater removed from the tanks could not be disposed of at the Butler Lagoon.

John Thayer, Environmental Health Specialist III, explained that the County is trying to look at alternatives to Butler Lagoon, because that site will be closed in approximately one year.

Condition #3 would require the owner to submit a copy of a contract from a certified installer that indicates that the permanent system (Northwest Septic design) Permit #237-84 will be installed as soon as site and weather conditions allow.

Mr. Ankney felt that the Northwest Septic design was larger than necessary. He planned to study the matter further until weather permits a major repair.

Chairman Vaux suggested Mr. Ankney be allowed to install a revised design, provided the design is approved by the Permit Center.

Conditions #4 and #5 referred to the frequency and amount of sewage removed from the site.

Mr. Ankney opposed the condition requiring him to pump the tanks three times per week until permanent repair is made and approved by the Health Officer. He noted that the tanks need to be pumped dry in order to remove the grease in the bottom of the tanks. He suggested the tanks be pumped dry every other week or so, as necessary to prevent total mound failure.

Mr. Karsh noted that these conditions were imposed by the Board prior to Mr. Ankney's involvement in this matter. He felt some flexibility could be granted with this condition, since Mr. Ankney plans some modifications during the winter.

Discussion followed regarding the bleeding of wastewater at the base of the mound.

Greg Nelson noted that they can afford to pump the tanks once per week, but probably not more frequently.

Mr. Ankney asked that the County grant him two months to accomplish what he can, prior to turning this matter over to the Prosecutor's Office.

Commissioner Walberg noted that this same matter has been before the Board frequently in the past and still no solution has been delivered.

Chairman Vaux proposed the following:

- Condition #1: \$20 inspection fee.
- Condition #2: Certification of pumping frequency.
- Condition #3: Commitment to install repaired system as soon as weather and site conditions allow.
- Conditions #4 and #5: Owner agrees to submit plan for immediate corrections to system by Wednesday, December 18, 1985. Mr. Karsh can meet with Mr. Ankney regarding this.

Bob Schofield, Director of the Department of Planning and Community Development, pointed out that Mr. Ankney is the fifth designer on this project.

Chairman Vaux stated that the corrections listed in Mr. Ankney's plan will be required to be completed prior to February 1, 1986. Random County inspections will be conducted.

Mr. Karsh explained the need for recording a "repair agreement" with the County Auditor's Office for the purpose of it being made a part of the record of title.

Chairman Vaux felt the repair agreement did not need to be recorded. Commissioners Walberg and Rohrer concurred.

Mr. Karsh suggested the certified designer submit a status report to him on a monthly basis. The County staff could stop by the site randomly, but no inspection fee would be charged.

The Board did not concur with this suggestion, and instructed Mr. Karsh to inspect the site and charge \$20 per inspection.

2. Discussion of instituting an hourly charge for "Special Requests" made of Skagit County Health Department personnel.

John Thayer, Environmental Health Specialist III, was present for this discussion.

Chairman Vaux informed Mr. Thayer that he and Commissioners Walberg and Rohrer were agreeable to such a classification. He requested that this matter be addressed when the other Health Department fees are discussed in the near future.

PUBLIC WORKS DEPARTMENT - Gene Sampley, Director:

Gene Sampley, Director of the Public Works Department, introduced Jeffrey Monsen, who is replacing John Rumsey, former Traffic Safety Engineer for Skagit County.

1. Public Hearing - Road Establishment of Old Wagon Road.

Megan Cheney, on behalf of Jerry McInturff, Skagit County Auditor, read the Notice of Public Hearing as published in the Skagit Argus on November 26, and December 3, 1985.

Mike Loyd, of the Public Works Department, presented the engineer's report regarding this matter. He explained that in 1883, the R. H. Sharp-Fidalgo Island Road was established and described by a compass survey. This survey located the road near the witnessed road location of Old Wagon Road. On February 20, 1939, the Board of Commissioners vacated that portion of Old Wagon Road that passed through the Landers' property. County records show no vacation on that portion passing through the Trafton's property. Mr. Loyd recommended that should the testimony of the public hearing show that the Old Wagon Road was maintained by the County and that, indeed, the Old Wagon Road is, in fact, the R. H. Sharp-Fidalgo Island Road, then 60 feet of right-of-way can be claimed as it was established prior to statehood.

Eugene Landers pointed out that approximately 1/2 mile of Old Wagon Road was vacated through their property.

Mr. Loyd explained that the Landers are requesting the re-establishment of that portion (approximately 79 feet) of Old Wagon Road, which was never vacated, so they can proceed with the subdivision of their property.

Mr. Landers testified that the County has graded that portion of Old Wagon Road in the past.

Commissioner Walberg motioned to close the public hearing. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

Mr. Sampley stated that the County does not plan any improvements for Old Wagon Road, but would re-establish this road for the purpose of providing access to the proposed subdivision.

Commissioner Rohrer motioned to confirm the establishment of approximately 79 feet of Old Wagon Road, 60 feet in width, as petitioned. Commissioner Walberg seconded the motion. The motion was carried unanimously.

The Landers agreed to naming the road Wagon Lane.

2. Call for Bids - Crushing Upper Samish Pit.

Commissioner Rohrer motioned to adopt the resolution calling for bids for crushing approximately 30,000 cubic yards of maintenance rock in the Upper Samish Gravel Pit. Commissioner Walberg seconded the motion. The motion was carried unanimously. (Resolution #10669)

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

3. Signature on Right-of-Way Plans - Lake Cavanaugh Road.

The Board approved for signature right-of-way plans for Lake Cavanaugh Road from Finn Settlement to the 1985 project.

4. Signature on Professional Service Contract - Appraisal Property, Lake Cavanaugh Road.

The Board approved for signature a Contract for Professional Services between Skagit County and Aiken Appraisal Service, 2204 Riverside Drive, Mount Vernon, Washington 98273, for the provision of appraisal reports for the Lake Cavanaugh Road project. This contract shall be in effect December 9, 1985, through January 17, 1986, or until sooner terminated. Compensation shall be at the rate of \$166.66 per parcel, totaling \$500.

5. Consideration of Plat Bond Foreclosure.

Commissioner Walberg motioned to adopt the resolution foreclosing on an assignment of savings for completion of the road for a five-acre tract subdivision off of the Upper Samish Road. This resolution also authorized the Public Works Department to perform the work for which said assignment of savings was intended. Chairman Vaux seconded the motion. The motion was carried with votes from Chairman Vaux and Commissioner Walberg. Commissioner Rohrer opposed the motion. (Resolution #10670)

6. Shangri-La Flood Control Zone Committee Appointments.

This item was continued for one week until December 16, 1985.

7. Miscellaneous Items.

The Board approved for signature an amendment to the Solid Waste Management Plan Grant from the Department of Ecology, which simply extends the project completion date from December 31, 1985, to April 30, 1986.

MISCELLANEOUS ITEMS

The following miscellaneous items were addressed:

1. Van Finley and Bob Magill, both of Anacortes, were present to request that the Skyline Beach Club property be put back on the tax rolls, as it is presently exempt from property taxes.

Chairman Vaux stated that he will look into this matter.

2. Bob Schofield, Director of the Department of Planning and Community Development, presented a proposed amendment to the Drainage Ordinance, with regard to drainage plans in the Samish River Basin area. All drainage plans, except for residential and accessory building permits with less than 5,000 square feet of developmental coverage, shall bear the seal of a professional engineer registered in the State of Washington. Drainage plans for residential and accessory building permits with less than 5,000 square feet of developmental coverage shall be in a form prescribed by the Public Works Department.

The Board instructed Mr. Schofield to present this amendment to the Planning Commission.

3. Dave Hough, Senior Planner, informed the Board of matching grant funds available through the Department of Community Development. He listed several projects which could qualify for these funds.

Chairman Vaux favored applying for grant funds for a County exposition center (fair site), which was Mr. Hough's recommendation.

Mr. Hough explained that the County's match could be fulfilled with in-house County staff.

The Board authorized Mr. Hough to proceed with the grant application.

4. Commissioner Rohrer motioned to approve the following Petitions for Property Tax Refund, as recommended by the Skagit County Assessor and Treasurer:
 - a. Torbeson & Thatcher, P.S., 17th Floor, Hoge Building, Seattle, Washington 98104, in the amount of \$148.33, as ordered by the Board of Equalization. (#581170q)
 - b. Boyd Vickers, 7429 208th Avenue E., Sumner, Washington 98390, in the amount of \$37.21, because taxes were paid on the wrong account. (#006685)
 - c. Joe Reehoorn, 1016 South 3rd, Mount Vernon, Washington 98273, in the amount of \$126.07, as ordered by the State Board of Tax Appeals. (#007785)

Commissioner Walberg seconded the motion to approve the above listed Petitions for Property Tax Refund. The motion was carried unanimously.

5. Commissioner Rohrer motioned to approve the following Taxpayer's Claims for Reduction of Assessments on Destroyed Real or Personal Property, as recommended by the Skagit County Assessor:
 - a. Patricia I. Wilson, 1575 Peterson Road, Burlington, Washington 98233, in the amount of \$4,960 for tax year 1986, due to demolition. (#670)
 - b. William V. Long, 904 33rd, Apt. C, Anacortes, Washington 98221, in the amount of \$3,040 for tax year 1986, due to fire. (#672)
 - c. O. N. Sheffer, 901 20th Street, Anacortes, Washington 98221, in the amount of \$3,400 for tax year 1986, due to demolition. (#673)
 - d. K. I. Kellogg, 1106 Marihugh Road, Mount Vernon, Washington 98273, in the amount of \$20 for tax year 1986, due to wind damage. (#674)

Commissioner Walberg seconded the motion to approve the above listed Taxpayer's Claims. The motion was carried unanimously.

6. Commissioner Rohrer motioned to approve the Record of the Proceedings for Monday, December 2, 1985. Chairman Vaux seconded the motion. The motion was carried unanimously.
7. Commissioner Rohrer motioned to approve the Record of the Proceedings for Tuesday, December 3, 1985. Commissioner Walberg seconded the motion. The motion was carried unanimously.
8. The Board approved for signature the agreement between Whatcom County and the Skagit County Sheriff's Office for use of the Plantation Rifle Range in Bellingham. This agreement shall be in effect for a five year period, and compensation for the 1986 calendar year shall be \$1,567.35.
9. In accordance with action previously taken, the Board approved for signature the resolution amending the Health Department Schedule of Charges, with regard to laboratory, environmental health, and nursing section fees. These revisions will become effective January 1, 1986. (Resolution #10671)
10. The Board approved for signature a Contract for Professional Services between Skagit County and Dr. Julius K. Neils for his services as health officer. This contract shall become effective February 1, 1986, and shall continue until December 31, 1986. Compensation shall be at the rate of \$45 per hour for approximately 7 hours of service to the County per week, with the total sum of compensation not to exceed \$17,000 annually unless approved by the County.

11. 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, December 9, 1985, the Board, by a unanimous vote, did approve for payment those vouchers included in the above list and further described as follows:

- a. Warrants #4839 through #4844 (no voucher numbers were provided) in the total amount of \$104,522.18. (P-12)
- b. Vouchers #10667 through #10973A (Warrants #8605 through #8882) in the total amount of \$180,269.42. (C-58)
- c. Vouchers #39081 through #39168 (Warrants #39081 through #39168) in the total amount of \$120,101.90. (R-45)

BID OPENING, - MOTOR FUEL.

Megan Cheney, on behalf of Jerry McInturff, Skagit County Auditor, read the Notice of Call for Bids, as published in the Skagit Argus on November 26, and December 3, 1985.

The following bids were received:

1. Reisner Distributor, Inc.
310 Commercial Avenue
P.O. Box 409
Anacortes, WA 98221

Total Projected Cost to Skagit County: \$168,449.00

2. Marlen L. Knutson Dist., Inc.
7306 267th N.W.
Stanwood, WA 98292

Total Projected Cost to Skagit County: \$168,469.00

3. Van Burkleo
P.O. Box 248
Sedro Woolley, WA 98284

Total Projected Cost to Skagit County: \$171,696.00

Record of the Proceedings
Skagit County Board of Commissioners
Monday, December 9, 1985
Page 10

4. Martin Oil, Inc.
P.O. Box 308
Mount Vernon, WA 98273

Total Projected Cost to Skagit County: \$174,726.50

The Public Works Department will review the bids, prior to making a recommendation for award of the bid at a later date.

CONTRACT SIGNATURE - MENTAL HEALTH CONTRACT AMENDMENT #2.

JoAnn Angevine, Community Services Coordinator, explained that this contract amendment would increase the grant award by \$743.

The Board approved for signature Mental Health Contract Amendment #2, as recommended by Ms. Angevine.

CONTRACT SIGNATURE - JANUARY 1986 - JUNE 1987 - DEVELOPMENTAL DISABILITIES.

JoAnn Angevine, Community Services Coordinator, explained that this contract would be effective for an 18-month period beginning January 1, 1986, and running through June 30, 1987.

The Board approved for signature the *Developmental Disabilities Contract* for the period of January 1986 through June 1987.

RESOLUTION - ESTABLISHING 1986 SALARIES FOR SKAGIT COUNTY ELECTED OFFICIALS.

Commissioner Rohrer motioned to adopt the resolution establishing the salaries of the Assessor, Auditor, Clerk, Coroner, Prosecuting Attorney, Sheriff, and Treasurer. Commissioner Walberg seconded the motion. The motion was carried unanimously. (Resolution #10672)

RESOLUTION - ESTABLISHING 1986 NON-UNION SALARY INCREASE AND HEALTH AND WELFARE BENEFIT LEVELS.

Commissioner Rohrer motioned to adopt the resolution establishing the 1986 non-union salary increase and health and welfare benefit levels. Commissioner Walberg seconded the motion. The motion was carried unanimously. (Resolution #10673)

MISCELLANEOUS ITEMS

The following miscellaneous items were addressed:

1. Commissioner Walberg motioned to authorize payment of wages for Wednesday, November 27, 1985, when the County was closed due to snow, for all Skagit County employees, with the exception of the Sheriff's Office employees, because they are public safety employees required to report under any conditions. Employees who did work on November 27, 1985, will receive comp time for hours worked at straight time. Commissioner Rohrer seconded the motion. The motion was carried unanimously.
2. The Board approved for signature Addendum #2 to data processing agreements between Snohomish County and Land Title Company of Skagit County, Skagit Title Company d/b/a First American Title Company, Island Title Company, and Ticor Title Insurance Company. This amendment extends the term of the basic agreement for goods and copy services through December 31, 1985.


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:



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