

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS

Monday, October 24, 1988

Flag Salute

- 9:00 a.m. Board of Health - Discussion of the Role of the Environmental Health Section in Schools.
- 10:00 a.m. Executive Session - Personnel.
- 10:30 a.m. Public Works Department - Jay Ensley, Director:
1. Continuation of Public Hearing - Vacation of Unused County Right-of-Way on Pinelli Road.
 2. Continuation of Public Hearing - Lowering of Speed Limit on Heart Lake (C.R. Donnell) Road Including Further Discussion Regarding Intersection of Donnell and Sharpe Roads.
 3. Discussion - Extension of Morford Road Closure.
 4. Call for Public Hearing - Opening of Unopened Right-of-Way on Soren Road.
 5. Signature - Washington State Parks and Recreation Commission Winter Agreement.
 6. Signature - Change Order #8 - Resource Recovery Facility.
 7. Signature - Supplement #3 to Interlocal Agreements for Delivery of Solid Waste.
 8. Miscellaneous Items.

MISCELLANEOUS ITEMS

- 1:30 p.m. Bid Opening - One (1) New Pup Trailer.

MISCELLANEOUS ITEMS

The Skagit County Board of Commissioners met in regular session on Monday, October 24, 1988, with Commissioners W. W. Vaux, Kimberly Walberg, and Dave Rohrer present.

BOARD OF HEALTH - DISCUSSION OF THE ROLE OF THE ENVIRONMENTAL HEALTH SECTION IN SCHOOLS.

Corinne Story, Environmental Health Specialist II, explained that local Health Departments are charged with the responsibility of administering WAC 248-64, "Rules and Regulations of the State Board of Health for Environmental Sanitation for Primary and Secondary Schools." These regulations are intended to ensure noise levels, lighting, ventilation and innumerable other aspects of schools to provide an environment that is conducive to learning. Ms. Story explained that the Skagit County Health Department had a system of annual inspections until 1972, at which time budget cuts, etc., forced the reduction

of the school program. The Department has attempted to maintain the critical aspects of the school program, however, regular annual inspections of all aspects of the schools have fallen by the wayside.

Ms. Story stated that currently statistics show playground related injuries are the number one problem. School children are also at risk from physical hazards in sports/physical education areas, chemicals and processes in arts and crafts, industrial education and science. Noise, heat and lighting can also produce a variety of subtle health effects and can adversely affect learning and social interaction.

In conclusion, Ms. Story informed the Board that the Department will be continuing with the current level of involvement. It appears, however, that they will eventually need to work back into more routine reviews.

Chairman Vaux pointed out that he would rather see the promotion of school bond issues to afford necessary expansion of schools, rather than forcing schools to make costly modifications to portable classrooms, for example.

Commissioner Walberg favored working cooperatively with the school districts in the County to advise on these environmental health issues.

PUBLIC WORKS DEPARTMENT - Jay Ensley, Director:

1. Continuation of Public Hearing - Vacation of Unused County Right-of-Way on Pinelli Road.

Jay Ensley presented a vicinity map which delineated the proposed right-of-way to be vacated in exchange for the petitioner's deeding to the County of right-of-way described as an extension of Pinelli Road.

Bill Ruyle, 785 Pinelli Road, Sedro-Woolley, noted that the Pinelli Road is only 30 to 33 feet wide, so he assumed that would be the width of right-of-way needed for the extension of Pinelli Road. He stated he would be willing to trade a 30- to 33-foot wide extension of Pinelli Road for the right-of-way he was petitioning for vacation, with the condition that he be allowed to keep all of the timber.

Commissioner Rohrer suggested a County survey crew stake the proposed extension of Pinelli Road, according to Mr. Ruyle, prior to further consideration of this matter.

Seeing no further comment, Commissioner Rohrer motioned to close the public hearing. Commissioner Walberg seconded the motion.

Following discussion, Commissioner Rohrer withdrew his motion to close the public hearing.

Discussion followed regarding the proposed width of the right-of-way.

Mr. Ensley noted that in order to provide access to both adjoining property owners, the centerline of the extension would have to be on the subdivision line.

Commissioner Walberg motioned to continue the public hearing indefinitely until such time as a County survey crew and Mr. Ruyle can stake the proposed extension of Pinelli Road. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

2. Continuation of Public Hearing - Lowering of Speed Limit on Heart Lake (C. R. Donnell) Road Including Further Discussion Regarding Intersection of Donnell and Sharpe Roads.

Jeff Mosen, Skagit County Engineer, presented a vicinity map and photos. He explained this continuation was to allow the Public Works Department staff time to review the hazardous intersection (Rosario Road, Heart Lake Road, Campbell Lake Road and Sharpe Road) prior to further consideration of a speed limit reduction on Donnell Road. Mr. Mosen explained four possible options for modification of the intersection.

Discussion followed regarding the various options. Mr. and Mrs. John Cameron and Don Bockelman pointed out problem areas.

Frank Marriott asked the County to repair the potholes and allow the speed limit on Heart Lake Road to remain at 35 m.p.h.

The Board authorized the Public Works Department to continue with the design of the preferred intersection modification.

Hearing no further comment, Commissioner Rohrer motioned to close the public hearing. Commissioner Walberg seconded the motion. The motion was carried unanimously.

Any additional discussion of a speed limit modification on this road will take place following modification of the intersection.

3. Discussion - Extension of Morford Road Closure.

As requested by IMCO Construction, Commissioner Rohrer motioned to authorize the preparation of an amendment to Resolution #11593, extending the closure of Morford Road until June 1, 1989. Commissioner Walberg seconded the motion. The motion was carried unanimously.

4. Call for Public Hearing - Opening of Unopened Right-of-Way on Soren Road.

Commissioner Rohrer motioned to adopt the resolution calling for a public hearing to consider the opening of unopened right-of-way on Soren Road.

Commissioner Walberg seconded the motion. The motion was carried unanimously.
(Resolution #11802)

The public hearing is scheduled for 10:30 a.m., on Monday, November 7, 1988.

5. Signature - Washington State Parks and Recreation Commission Winter Agreement.

The Board approved for signature the Cooperation/Collection Agreement with the Washington State Parks and Recreation Commission for the provision of winter road maintenance at the following locations: Shadow of the Sentinels Nature Trail and Baker Lake Highway. This agreement shall terminate on April 30, 1989.

6. Signature - Change Order #8 - Resource Recovery Facility.

Jay Ensley presented Change Order #8 for the Resource Recovery Facility and an accompanying memo, which he reviewed. Under the contract amended by Change Order #7, Wright Schuchart Harbor Co. would be paid regular operation and maintenance (O&M) costs upon successful completion of acceptance testing, which would also be the effective date of the Certificate of Commercial Operation provided that Puget Power is paying the higher rate of \$.049 mils at that time.

Mr. Ensley explained it was Skagit County's perception that the 30-day period of commercial operation called for in the contract with Puget Power would be the same as the date of commercial operation which is identified in the contract with Wright Schuchart Harbor Co. However, Puget Power has agreed that their requirements for commercial operation were satisfied as of September 12, 1988, and they will pay Skagit County the higher rate effective that date.

Mr. Ensley stated he felt the intent of the contract with Wright Schuchart Harbor Co. was to pay the contractor at the higher rate of O&M when Skagit County was receiving the higher revenue from power sales to Puget Power and that the proposed Change Order #8 will authorize that payment to Wright Schuchart Harbor Co. contingent upon the requirements set forth in this Change Order.

Mr. Ensley also reviewed each of the 10 conditions proposed to be met by the contractor in order to validate Change Order #8. He also pointed out the benefits to Skagit County of approving Change Order #8 (i.e. early public use of the incinerator and early start-up of recycling at the incinerator, as well as the processing of all of Skagit County's waste).

Chairman Vaux agreed that Puget Power's payment of a higher rate causes reason for consideration. However, based on his previous involvement in meetings prior to construction, he felt the intent of Skagit County's payment was to be

triggered by the performance of the incinerator, not by Puget Power's payment of a higher rate. The incinerator's production of power has not been at a consistently high level to warrant payment of a higher rate.

Bill Ness, Solid Waste Section Manager, explained the net effect of the power generation is that the refuse that is incinerated essentially becomes electrical power. He noted that consistent operation means higher efficiency.

Chairman Vaux felt production, not Puget Power, should trigger payment of the higher rate.

Lacinda Etherington asked if Skagit County's Prosecuting Attorney has read this contract and proposed Change Order #8. She also stated she was denied a copy of the proposed Change Order last week.

Mr. Ensley stated John Moffat, Chief Civil Deputy of the Prosecuting Attorney's Office, was not contacted to review this matter. He stated in his opinion Skagit County is not obligated to pay the higher rates, however, it was being proposed because of the other considerations in the Change Order used as a means of negotiating. With regard to Ms. Etherington's attempts to obtain a copy of the proposed Change Order, Mr. Ensley felt it dealt with contractual issues, and therefore, he wanted to present it to the Board before distribution to the public.

Don Bockelman asked if acceptance tests never show the facility can operate according to the contractual agreements, then is the County liable for the payments received from Puget Power?

Chairman Vaux did not feel the County would be liable.

Mr. Ness explained the power is a commodity that is purchased and no retroactivity could occur.

Ms. Etherington encouraged the Board to refrain from approving Change Order #8 without an attorney's review. She asked if the neutralization system is part of the Change Order.

Mr. Ensley explained that the Change Order requires the contractor maintain in operation the temporary neutralization system until such time as the permanent neutralization system is in operation.

Ms. Etherington expressed concern regarding this matter.

Mr. Bockelman stated he hoped there would be an effective method of dealing with the hydrogen produced by the neutralization system.

Mr. Ness stated the responsibility for the design of that system lies with the engineer.

Chairman Vaux stated he wanted to discuss this Change Order with John Moffat, Gene Sampley (former Director of the Public Works Department) and Jeff Clunie (R. W. Beck and Associates), prior to approving this Change Order. He proposed this matter be continued until next week.

Ms. Etherington stated she has been trying to obtain minutes from meetings held between Wright Schuchart Harbor Co. and the County, but has been unsuccessful in her attempts.

Chairman Vaux assured Ms. Etherington he will obtain the minutes for her.

Mr. Bockelman presented the Commissioners with a letter dated October 24, 1988, from Citizens Alert regarding acceptance testing.

7. Signature - Supplement #3 to Interlocal Agreements for Delivery of Solid Waste.

Commissioner Rohrer motioned to approve Supplement #3 to the Interlocal Agreement for the City of Oak Harbor's delivery of solid waste for use during the resource recovery facility's testing period only. Supplement #3 extends the termination date until November 15, 1988. Commissioner Walberg seconded the motion. The motion was carried unanimously.

Commissioner Walberg motioned to approve Supplement #3 to the Interlocal Agreement for Island County's delivery of solid waste for use during the resource recovery facility's testing period only. Supplement #3 extends the termination date until November 15, 1988. Commissioner Walberg seconded the motion. The motion was carried unanimously.

8. Miscellaneous Items.

There were no miscellaneous Public Works Department items at this time.

MISCELLANEOUS ITEMS

1. The Board approved for signature Area Agency on Aging Contract #88-3110-06, Amendment #1, for the provision of an additional \$2,000 in funding for the Information and Assistance/Case Management services in the Senior Services Department for 1988.
2. The Board approved for signature a Rafters Agreement between River Drifters and the Parks and Recreation Department, to allow rafters to exit their commercial float trips from the Skagit River onto County property. Rafters desiring a permit to exit onto County property shall pay a fee of \$1 per person. The permit granted shall be for the period from October 1, 1988, to September 30, 1989.

3. The Board approved for signature an Instructional Services Agreement between Teresa Hardy, 1000 S. 16th, Mount Vernon, Washington 98273, and the Parks and Recreation Department, for conducting a Women's Weight Conditioning Program at Skagit Valley College. This contract shall be effective November 1, 1988, through December 31, 1988, and compensation shall be at the rate of 90 percent of program fees after Department expenses.
4. The Board approved for signature a Contract for Professional Services between Sportsturf Northwest and the Parks and Recreation Department, for providing and operating turf renovation equipment for the renovation to Skagit Playfield "Walberg" Softball Field. This contract shall be effective October 11, 1988, through December 31, 1988, and compensation shall not exceed \$2,787.
5. The Board approved for signature an Intergovernmental Cooperative Agreement between Kitsap Transit and Skagit County for the extension of Kitsap Transit contracts, which are for the purchase of goods and services for Kitsap Transit, to other political subdivisions to the extent permitted by law, and agreed upon by the parties. This agreement shall continue in force until canceled by either party.
6. 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, October 24, 1988, the Board, by a unanimous vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows: Vouchers #810455 through #811031 (Warrants #38049 through #38430) in the total amount of \$304,958.84. (C-44-88)

7. Commissioner Walberg motioned to approve the Record of the Proceedings for Monday, October 17, 1988, and Tuesday, October 18, 1988. Commissioner Rohrer seconded the motion. The motion was carried unanimously.
8. Commissioner Walberg motioned to approve the Record of the Proceedings for Friday, October 21, 1988. Chairman Vaux seconded the motion. The motion was carried and so ordered.
9. Chairman Vaux motioned to adopt the resolution reappointing Theophilis "T" Mungen to the Housing Authority of Skagit County Board of Commissioners, effective October 23, 1988. Said appointment shall expire on October 22, 1993. Commissioner Walberg seconded the motion. The motion was carried unanimously. (Resolution #11803)
10. The Board approved for signature the Cooperative Education Agreement between Skagit Valley College and Skagit County for the provision of six

students for work experience during the winter and spring quarters of 1989. Each participating student will receive a stipend of \$200 per month.

11. In accordance with action previously taken, the Board approved for signature a Letter of Understanding to the current Collective Bargaining Agreement between Skagit County and Local #176, Council #2, AFSCME (Skagit County Public Works Department), dated January 1, 1988, through December 31, 1990. The Letter of Understanding amends Article III - Grievance Procedure; Article VIII - Sick Leave; and the classification attachment.
12. Chairman Walberg motioned to approve out-of-state travel for Steve Wood, Director of the Department of Planning and Community Development, to attend a Subdivision Redesign seminar in Denver, Colorado in December, 1988. Commissioner Walberg seconded the motion. The motion was carried unanimously.
13. Chairman Vaux motioned to approve the following Petitions for Property Tax Refund, as recommended by the Skagit County Assessor and Treasurer:
 - a. Esther M. Burkhart, 2136 Bassett Road, Space #11, Sedro-Woolley, Washington 98284, in the amount of \$46.07, due to senior citizen exemption. (#01888)
 - b. Donna Hammer, La Venture Plaza Associates, 144 N. Shore Drive, Bellingham, Washington 98226, in the amount of \$644.60 plus interest paid of \$60.08, due to manifest error (acreage figured incorrectly). (#011688)
 - c. Estate of Marie Snover, c/o Cascade Savings & Loan, 2828 Colby, Everett, Washington 98201, in the amount of \$670.95, due to adjustment by the Board of Equalization. (#011588)

Commissioner Walberg seconded the motion. The motion was carried unanimously.

BID OPENING - ONE (1) NEW PUP TRAILER.

Chairman Vaux waived the reading of the Notice of Call for Bids, as published in The Skagit Argus on October 11, and October 18, 1988.

The following bids were received:

1. Lynnwood Truck Equipment Company
2224 196th S.W.
Lynnwood, WA 98036

Manufacturer and Model: Lynnwood Truck Equipment Co.
L.T.E. 1988 Pony Trailer
Total Cost: \$20,327.85

2. Beall Trans-Liner (Truckweld)
7210 S. 224th Street
Kent, WA 98032

Manufacturer and Model: Truckweld PTEV
Total Cost: \$20,505.49

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

MISCELLANEOUS ITEMS

1. 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, October 24, 1988, the Board, by a unanimous vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows: Vouchers #51782 through #51873 (Warrants #51782 through #51873) in the total amount of \$180,444.42. (R-33-88)

2. As a result of the recent County surplus property sale, the Board approved for signature the following Quit Claim Deeds:
- a. J. Wallace Frazier for Parcel #063405-0-043-0008.
 - b. Paul S. Conner for Parcel #353603-3-006-0200.
 - c. M. R. Nilson Construction, Inc., and J. Hinton Company for Parcel #193405-0-006-0008.
 - d. John L. and Barbara A. Thompson for Parcel #223507-0-011-0003.
 - e. Homer Wyatt for Parcels #163507-0-001-0003 and #163507-3-004-0004.
 - f. Homer H. Hughes for Parcels #163507-3-002-0006 and #163507-3-007-0001.
 - g. Rand N. Johnson for a portion of Parcel #123303-2-006-0004.
 - h. Diane M. Weppler for Parcel #173305-3-008-0003.

- i. John G. and Marjorie J. Sargent for Parcels #253404-3-006-0005 and #363404-0-005-0009.
- j. Marlin and Howard Miller for Parcel #143504-3-006-0007.
- k. Ed B. Lipsey and Kathy A. Schroder for Parcel #183506-0-036-0001.
- l. Noretap, a General Partnership, for Parcels #283304-2-005-0105, #123409-0-011-0004, #323304-0-005-0004, and #323304-0-009-0000.
- m. Dike District #17 for Lots 6 and 7 south of the dike in Section 13, Township 34 North, Range 3 East, W.M.
- n. Mike and Linda Cheek for Accounts #143404-1-004-0004, #143404-2-001-0005 and #143404-0-012-0006.
- o. Hubert and Genevieve Johnson for a portion of Parcel #123303-2-006-0004.

ADJOURNMENT

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

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON





W. W. Vaux, Chairman

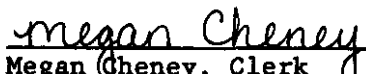


Kimberly Walberg, Commissioner



Dave Rohrer, Commissioner

ATTEST:



Megan Cheney, Clerk
Skagit County Board of Commissioners