

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS**

**Monday, August 7, 1989**

10:00 a.m.      Budget/Finance:

Resolutions and Agreements Authorizing Computer Hardware and Software Acquisitions.

10:30 a.m.      Public Works Department - Mark Spahr, Director:

- 1) Continuation of Public Hearing: Establishment of Extended Portion of Brookings Road.
- 2) Public Hearing: Open Unopened County Right-of-Way Pinelli Road.
- 3) Public Hearing: Restricting Truck Traffic South Front Street - Clear Lake.
- 4) Resolution: Road Closure Bow Hill Road.
- 5) Call for Bids: One New Portable Air Compressor.
- 6) Call for Bids: One New Truck with Liquid Asphalt Distributor.
- 7) Easement: Underground Electrical System - Sauk Landfill.
- 8) Miscellaneous.

**MISCELLANEOUS ITEMS.**

The Skagit County Board of Commissioners met on Monday, August 7, 1989, in regular session, with Commissioners Dave Rohrer, Ruth Wylie and W. W. Vaux present.

**BUDGET FINANCE:**

**Resolutions and Agreements Authorizing Computer Hardware and Software Acquisitions.**

- A. Mike Woodmansee, Budget/Finance Director, presented a resolution authorizing the acquisition of LGFS and GHRS payroll software for the Auditor's Office, which had previously been approved for purchase.

Commissioner Wylie motioned to adopt the resolution authorizing the acquisition of American Management Systems GHRS, LGFS and related software products for use by the Auditor's Office, for the sum of \$249,500. Commissioner Vaux seconded the motion. The motioned passed unanimously. (Resolution #12163)

- B. Mr. Woodmansee presented, and the Board approved for signature, an agreement with American Management Systems, Inc., establishing a license agreement and setting forth the rights of each party for the use of AMS software components and related materials by the Auditor's Office.

PUBLIC WORKS DEPARTMENT - MARK SPAHR, DIRECTOR:

1) Continuation of Public Hearing: Establishment of Extended Portion of Brookings Road.

Mr. Spahr again located the proposed extension of Brookings Road on a vicinity map. He presented to the Board photographs of the road taken at the site of the proposed extension.

Jeff Monsen, Assistant Public Works Director, briefly summarized the issue. He stated that the options available to the Board are as follows:

- 1) To deny the establishment of the extended portion.
- 2) To grant establishment of a portion in the amount of 50 feet or less.
- 3) To call for another public hearing to grant establishment of an amount in excess of 50 feet.

Tom Moser, representing Mrs. Proctor, presented a letter from George Brookings, Jr., son of George Brookings, Sr., the property owner directly adjacent to the Proctor property, which states that as far back as he can remember (he is 27) the road has been maintained by the County. Chairman Rohrer read this letter into the record. Mr. Moser stated that 11 neighbors support Mrs. Proctor's request for at least a 60 foot extension. Mr. Moser pointed out that if a 50 foot extension is granted, the McNabs will be given the opportunity to develop the front portion of their property. It is only fair that Mrs. Proctor be given the same property rights as the McNabs. Further, Mr. Moser stated that the road is not listed in the deed conveying the property to the owners prior to the McNabs.

Gary Jones, representing the McNabs, again stated that all vehicles which routinely use the road, such as schoolbuses and mail carriers, provide services specifically to the residents of the McNab household. He also stated that the road was only paved because of the friendly relations between George Brookings, Sr., and the road crew. Mr. Jones challenged Mr. Moser's statement regarding the lack of a legal description of the road on the property deed. He also stated that maintenance work has been done only sporadically. He requested that the Board establish only a 50 foot section, and allow the property owners to work out a settlement between themselves for any further development.

George Brookings, Sr., then made a statement supporting the McNab's claims.

Mr. McNab reiterated the points he made at the last public hearing.

Mrs. Proctor stated that she wishes to be able to give her children property on which to build homes, just as Mr. Brookings has done with his children.

Jeff Monsen then explained the standards for frontage for development of the Proctor property. He stated that if an extension of 50 feet were allowed, Mrs. Proctor would be limited in the type of development she could undertake

on her property. An extension of 60 feet would allow for most development possibilities.

Seeing no further public comment, Commissioner Vaux motioned to close the public hearing. Commissioner Wylie seconded the motion. The motion was carried unanimously. Commissioner Wylie then motioned to call for another public hearing to establish an extension of 60 feet on Brookings Road. Commissioner Vaux seconded the motion, which passed unanimously.

Mr. Jones requested that the Board consider a turn-around in their new public hearing. Mr. Monsen stated that additional roadway of up to 90 feet would be needed for a turn-around. Commissioner Wylie then motioned to rescind the Board's previous motion. Commissioner Vaux seconded the motion, which passed unanimously. Commissioner Wylie then motioned to call for a public hearing on September 11, 1989, at 10:30, to consider up to a 90 foot extension of Brookings Road for property access and design and construction of a turn-around. Commissioner Vaux seconded the motion. The motion passed unanimously.

2) Public Hearing: Open Unopened County Right-of-Way Pinelli Road.

Mr. Spahr presented correspondence from the Public Works Department concerning a vacation of right-of-way on the Pinelli Road. He located the unopened right-of-way on a vicinity map, as it passes through the property of a Mr. Bill Ruyle. Mr. Spahr stated that a road has been constructed west of the right-of-way on Mr. Ruyle's property, which provides access to property owned by Mr. Zeidner. Mr. Ruyle, in January of 1989, was granted the vacation of the County right-of-way existing on his property, in exchange for the existing 40 feet of right-of-way containing the established road. Mr. Spahr stated that the terms of the agreement; however, have not been completed, so the property has not been transferred to Mr. Ruyle.

Mr. Ruyle interjected at this point and presented a copy of a letter from Mary Cherberg, Office Engineer, to himself, dated March 20, 1989, stating that the exchange had been granted pending issuance of a Final order of Vacation and Final Order of Establishment for the new right-of-way alignment.

Jeff Monsen stated that, since no formal response to the letter was received from Mr. Ruyle, no deed has yet been signed. Mr. Ruyle then argued that no formal survey was done, to which Mr. Monsen replied that the survey work done was adequate for issuance of a deed. Mr. Ruyle maintained that he wishes a formal survey to be completed. Mr. Ruyle then made a statement regarding his wife's health and an easement for a water pipeline across his property. and his wish that his neighbor, Mr. Zeidner, no longer be allowed to travel on his right-of-way. He mentioned that he would give Mr. Zeidner five years to build his own access to his property.

At this time, Mr. Monsen and Mr. Spahr explained that Mr. Ruyle's statements arise from a dispute between Mr. Ruyle and Mr. Zeidner about the end of the existing road across Mr. Ruyle's property, which angles off in a northeasterly direction from the right-of-way proposed for exchange with the County. At the time of the exchange, this portion of the road would remain in the possession of Mr. Ruyle, while the right-of-way would continue on straight north. This section of road directly accesses Mr. Zeidner's property, and he would

therefore lack a short stretch at the end of the road which, remaining on Mr. Ruyle's property, would be private property, and he would therefore have to construct his own section of road.

Mr. Zeidner then stated that he wishes to access his property from some type of road. He has no plans to develop his property, but wishes to have some form of access, and wishes to have a written document of some sort showing his rights concerning the access to his property. Mr. Zeidner offered to withdraw his application to vacate unopened right-of-way on Pinelli Road if a compromise with Mr. Ruyle could be worked out.

After discussion, Mr. Ruyle and Mr. Zeidner agreed to sign an agreement whereby within a five year period, Mr. Ruyle would sign a deed to exchange the above mentioned properties, Mr. Zeidner would reconstruct the portion of his existing driveway that crosses Mr. Ruyle's property, and that Mr. Zeidner would withdraw his application to opened an unopened portion of Pinelli Road.

Commissioner Wylie then motioned to close the public hearing. Commissioner Vaux seconded the motion. The motion passed unanimously. Commissioner Vaux motioned to taken no action on the request to open unopened County right-of-way on Pinelli Road. Commissioner Wylie seconded the motion. The motion passed unanimously.

3) Public Hearing: Restricting Truck Traffic South Front Street - Clear Lake.

Mr. Spahr presented a supplemental to the Engineer's Report regarding South Front Street in Clear Lake. He stated that the supplemental recommends the exclusion of truck traffic from South Front Street, and the appropriate "NO TRUCKS" signing of the road. Mr. Spahr also advised that the survey of South Front Street has been completed. The results indicate that the amount of parking for the swimming facility can be doubled with construction of a parking lot.

Brian McGinnis, representing the Clear Lake Fire Department, stated that, since the swimming facility is only utilized by the public during the summer months, truck traffic is a seasonal problem, and therefore prohibition should be instituted only seasonally. Since trucks over 10,000 gross vehicle weight would be excluded by a year-round prohibition, this would preclude fire trucks from using the two fire hydrants located on South Front Street.

Ed Hawes, Traffic Safety Engineer, related that the supplemental report he compiled defines "truck", and was not meant to exclude emergency vehicles from using the road. He stated that deliveries by trucks to residents of South Front Street would also be exempted from the restriction.

Mr. Spahr added that seasonal restrictions would be difficult to enforce, as well as confusing to truck operators.

Mr. McGinnis maintained his objection to year-round restrictions, stating that farm trucks accessing State Route 9 by the alternate route, Beaver Lake Road, would be a danger to vehicles traveling on State Route 9.

Jon Aarstad, Parks and Receptions Director, declared that the Clear Lake swimming facility was developed for year-round use, therefore, it could be expected that pedestrians would be present at all times of the year. He encouraged year-round truck restrictions.

In answer to questions by the Board, Mr. Hawes stated that State Route 9 is more suitably constructed for truck traffic, and that both intersections, South Front Street with State Route 9 and Beaver Lake Road with State Route 9, present sight distance difficulties.

Karen Fero-Hanna, 1285 Highway 9, Clear Lake, and Michelle VanPelt, 1299 South Front Street, Clear Lake, both gave statements supporting the year-round restriction of truck traffic.

Seeing no further public comment, Commissioner Wylie motioned to close the public hearing. Commissioner Vaux seconded the motion. The motion was unanimously approved. Commissioner Wylie then motioned to restrict motor truck traffic, as defined in the resolution submitted by the Public Works Department, and excluding emergency vehicles, from South Front Street in Clear Lake on a year-round basis. Commissioner Vaux seconded the motion. The motion passed unanimously. (Resolution #12164)

Mr. Spahr then presented photos of South Front Street, with cones marking the boundaries of the County's property, as outlined by the survey. He stated that a 20 to 25 foot width on the east side of the street is available for parking. Construction of the parking area would include a walkway to minimize the effects of the parking area on the property owners.

Fencing of the parking area was discussed with the affected neighbor, Mrs. VanPelt, and it was determined that this would not be in the best interest of the VanPelts, as it would decrease the area the VanPelts currently maintain as their yard.

Chairman Rohrer then motioned to utilize funds from the Public Works Department's road fund to complete the construction. Commissioner Wylie seconded the motion, which was unanimously approved.

4) Resolution: Road Closure Bow Hill Road.

Commissioner Wylie motioned to adopt the resolution closing Bow Hill Road, #2120, from 7:00 a.m. on August 9, 1989, to 4:30 p.m., August 10, 1989, to facilitate Burlington Northern Railroad's maintenance to their track area. Commissioner Vaux seconded the motion, which was unanimously approved. (Resolution #12166)

5) Call for Bids: One New Portable Air Compressor.

Commissioner Wylie motioned to call for bids for the purchase of one new portable air compressor to replace an existing portable air compressor being used for quarrying activities, to be received and opened on August 21, 1989, at 1:30 p.m. Commissioner Vaux seconded the motion. The motion carried unanimously. (Resolution #12166)

6) Call for Bids: One New Truck with Liquid Asphalt Distributor.

Commissioner Wylie motioned to call for bids for one new truck with a liquid asphalt distributor to replace the one being utilized by the Public Works Department, to be received and opened on August 21, 1989, at 1:30 p.m. Commissioner Vaux seconded the motion. The motion passed unanimously. (Resolution #12167)

7) Easement: Underground Electrical System - Sauk Landfill.

Bill Ness, Solid Waste/Environmental Engineer, presented an easement agreement, allowing the Puget Power Company to install underground conduits and cables for an underground electrical system at the Sauk Landfill, where a transfer station will be located after the landfill has been closed.

The Board approved the easement agreement for signature.

8) Miscellaneous.

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

MISCELLANEOUS ITEMS.

- A. Roger Howard, Facilities Management Director, introduced to the Board JoAnne Hansen, a new member of the custodial staff.
- B. Roger Howard stated that the lease agreement with Summersun for the Gibraltar Road greenhouse owned by the County expires in September. He requested direction from the Board concerning future plans for the facility. The Board directed Mr. Howard to schedule time next week for a discussion of alternatives.
- C. Commissioner Vaux motioned to adopt a resolution requiring all Skagit County owned vehicles to carry a D.A.R.E. program bumper sticker, to support the efforts of the D.A.R.E. drug education program sponsored by the Skagit County Sheriff's Office. Commissioner Wylie seconded the motion, which passed unanimously. (Resolution #12168)

The Board also discussed "Buckle Up" bumper stickers.

- D. Bob Ruby, President - Skagit Council of Governments, gave a brief presentation on the status of plans for a mentally handicapped inpatient treatment facility at the Northern State grounds in Sedro Woolley. He stated that the General Administration Department in Olympia has not yet decided how much of the \$100,000 they received to perform a study on construction of the facility they will allot to SCOG for their part in the study. Mr. Ruby discussed the property ownership issues between General Administration and the Department of Natural Resources, which manages the land.

- E. Commissioner Vaux motioned to adopt the Records of the Proceedings from Monday, July 31, 1989, Tuesday, August 1, 1989, and Wednesday, August 2, 1989, as submitted. Commissioner Wylie seconded the motion, which passed unanimously.
- F. In accordance with action previously taken, the Board approved for signature a resolution awarding the bid for indoor and outdoor lightning at the Concrete Senior Center to Fountain Electric of Bow, the low bidder.
- G. In accordance with action previously taken, the Board approved for signature a resolution increasing the commissioners' reimbursement for use of personal vehicles from \$175.00 per month to \$290.00 per month.
- H. Commissioner Vaux motioned to call for a public hearing to be held on August 29, 1989, at 10:00 a.m., to consider whether Sewer District #3 satisfies the criteria for being "inactive", per RCW 36.96.010, and should be dissolved, or allowed to continue to exist. Commissioner Wylie seconded the motion, which was unanimously approved. (Resolution #12171)
- I. The Board approved for signature a Contract for Professional Services with Gayle Kenny of Bellingham for development, implementation and monitoring of a "Wellness at the Worksite" program, at the rate of \$26.00 per hour, and to terminate on September 30, 1990.
- J. The Board approved for signature the following Petitions for Property Tax Refunds:
- a) Norma Johnston, 1456 Reservation Lane, LaConner, WA 98257, in the amount of \$24.67, due to an Indian owned vessel exemption status. (007489)
  - b) Hildegard T. Kretschmer, 2037C F&S Grade Road, Sedro Woolley, WA 98284, in the amount of \$516.71, due to a senior citizen exemption for both 1988 and 1987. (007389)
  - c) Helen I. Dogan and Victor J. Spitali, 744 View Lane, LaConner, WA 98257, in the amount of \$11.76, due to a senior citizen exemption. (007089)
  - d) Bertha Phillips, 615 S. Spruce, Burlington, WA 98233, in the amount of \$60.28, due to a clerical error. (007289)
  - e) Kenneth M. Rothwell, 4408 S. Baker Loop, Concrete, WA 98237, in the amount of \$122.61, due to a senior citizen exemption. (007189)
- K. The Board approved for signature a lease agreement with MVP Enterprises, Inc., of Lynnwood, for leasing of tents and awnings for the Skagit County Fair, from August 7 through August 13, 1989, for the contract price of \$6,484.92.
- L. The Board approved for signature the following Contract for Skagit County Fair Concessionaires, to begin August 9, 1989, and continue to August 13, 1989:
- a) Hawaiian Snow, 9420 171st Ave. N.E., Redmond, WA 98052, for the sum of \$50.00 plus a guarantee of \$100.00 or 15% of the total gross receipts, whichever is greater.

M. The Board approved for signature the following Contract for Skagit County Fair Commercial Displays and Vendors, to begin August 9, 1989, and continue to August 13, 1989:

- a) Travel Desk, 2114 Riverside Drive #207, Mount Vernon, WA 98273, for the sum of \$200.00 for space in the commercial tent.
- b) Skagit County Search and Rescue, P.O. Box 220, Mount Vernon, WA 98273, for no charge for space outside the ballpark.
- c) Cascade Home Furnishings, 1376 S. Burlington Blvd., Burlington, WA 98233, for the sum of \$220.00 for space in the commercial building.
- d) Mount Vernon Police Services Guild, 1520 Parker Way, Suite B, Mount Vernon, WA, for the sum of \$181.00 for space in the grange building.
- e) Skin Care Plus, 843 Cape Horn Road, Sedro Woolley, WA 98284, for the sum of \$159.50 for space outside the ballpark.
- f) Society of American Foresters, Box 1234, Mount Vernon, WA 98273, for the sum of \$220.00 for space in the commercial tent.
- g) United States Army, 1506 Riverside Drive, Mount Vernon, WA 98273, at no charge for space outside.
- h) Water Line Sports, 657 E. Shore Lane, Oak Harbor, WA 98277, for the sum of \$192.50 for space outside the ballpark.
- i) Skagit Widowed Support Services, P.O. Box 156, Mount Vernon, WA 98273, for the sum of \$159.50 for space outside the ballpark.
- j) E-Z Kleen, Inc., 12108 Mukilteo Spwy #B-4, Lynnwood, WA 98037, for the sum of \$200.00 for space in the commercial tent.

N. The Board reviewed a letter dated July 28, 1989, received from Simonarson, Visser, Zender and Thurston, a Bellingham law office representing the Georgia Pacific Corporation in their request to open unopened right-of-way on Lake Cavanaugh Road. The letter states that Georgia Pacific has tentative plans to meet with residents of the Lake Cavanaugh area to discuss their concerns, and asks that the public hearing scheduled for August 16, 1989, be continued indefinitely.

Commissioner Vaux motioned to continue indefinitely the hearing regarding opening of unopened right-of-way on Lake Cavanaugh Road scheduled for August 16, 1989. Commissioner Wylie seconded the motion, which was unanimously approved.

O. Commissioner Vaux motioned to authorize Don Nelson, Flood Control Manager, to relocate a used culvert located at Truss Engineering in Sedro Woolley to the back of Dave Rohrer's property on Cook Road to provide for a bridge which was never installed. Commissioner Wylie seconded the




motion. The motion carried, with Chairman Rohrer abstaining, and was so ordered.

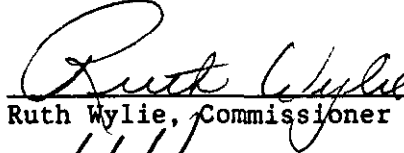
**ADJOURNMENT**

Commissioner Wylie motioned to adjourn the proceedings. Commissioner Vaux seconded the motion. The motion was carried unanimously.

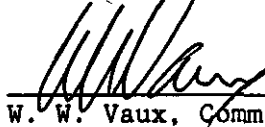
BOARD OF COUNTY COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON



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Dave Rohrer, Chairman

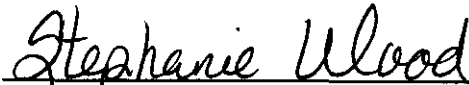


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Ruth Wylie, Commissioner



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W. W. Vaux, Commissioner

ATTEST:



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Stephanie Wood, Clerk  
Skagit County Board of Commissioners