

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

Monday, September 25, 1989

9:00 a.m. Board of Health:

- 1) Status of Rockport Water Supply - Lorna Haycox.
- 2) Impact of State Board of Health Shoreline Sewage System Repair Regulations - Tom Karsh.

MISCELLANEOUS ITEMS.

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

- 1) Public Hearing: Speed Limit Reduction - Shaw Road.
- 2) Resolution: D.E.M. Authorization to Acquire Federal Surplus Property.
- 3) Resolution: Authorizing Opening of Unopened County Right-of-Way Known as 18th Street - Mount Vernon.
- 4) Discussion: Landscaping Skagit County Resource Recovery Facility.
- 5) Miscellaneous Items.

2:00 p.m. Public Hearing: Gibraltar Greenhouse Lease.

2:30 p.m. Signature - Senior Services Action Grant.

3:00 p.m. Introduction of New Employees - Facilities Management Department.

MISCELLANEOUS ITEMS.

The Skagit County Board of Commissioners met in regular session on Monday, September 25, 1989, with Commissioners Dave Rohrer, Ruth Wylie and W. W. Vaux present.

BOARD OF HEALTH:

1) **Status of Rockport Water Supply - Lorna Haycox.**

Lorna Haycox, Environmental Health Specialist, reported on the status of the development of a water system for the Rockport area. She stated that the P.U.D.'s estimate of \$285,000 for the project was low, and that the bids they received were over budget by at least \$100,000. She stated that some State agencies were upset with the speed with which P.U.D. went about the project, although, since Representative Mary Margaret Haugen encouraged the applications to State agencies for funding, she hopefully will feel some responsibility to help expand those funds. Ms. Haycox stated that \$30,000 in grant funds from an \$80,000 Imminent Threat Grant from the Department of Community Development (DCD) has already been spent. She stated that DCD has expressed a desire for Skagit County and the P.U.D. to go ahead and use the \$80,000 grant in a temporary measure. A public meeting will be held at the P.U.D. on Thursday, September 28, at 3:00 p.m., and at Howard Miller Steelhead park at 7:00 p.m., to discuss the status of the project. Lorna stated that

she has contacted Representative Haugen's office to request help with increased funding, however, has not received a reply.

Mike Woodmansee, Budget/Finance Director, explained that Skagit County is the recipient of the DCD Imminent Threat Grant funds. We in turn have a contract with P.U.D. to pass the funding along to them for utilization on the Rockport water system. Mr. Woodmansee stated that the \$30,000 that has already been spent has been incurred as expenses, we have been informed of each expense, have issued a check, and have been reimbursed by the grantor. Mr. Woodmansee stated that if Skagit County ends up having to pay back the \$30,000, the P.U.D. would be obligated to pay us back.

Jim Kirkpatrick, P.U.D. Manager, submitted a summary of the bids received. He stated that originally, the estimate for the Rockport project was \$250,000, and R.W. Beck's original estimate was \$280,000. As the project was expanded, the estimate increased. Changes were requested by a number of involved agencies, which increased costs. The P.U.D. opted to utilize an existing Rockport well, which necessitated further increases, and there were problems with the reservoir and tank sites.

Mr. Kirkpatrick stated that the low bid received was for \$397,604.88. He stated that when staff time and engineering costs are added, the new estimate for the project is around \$500,000. Mr. Kirkpatrick indicated that, of the \$285,000 budgeted for the Rockport project, \$80,000 is from the DCD grant, \$118,000 is from an FMHA grant, \$37,000 is from Referendum 38 funds, and \$50,000 is from local assessments. Mr. Kirkpatrick stated that the P.U.D.'s next steps will be to look at streamlining the design to cut the cost of the project to the minimum, and to go back to funding sources for increased funding. He stated that additional funding requests will be made by the end of October.

Commissioner Vaux commended the P.U.D. for its efforts thus far, and professed the Board's dedication to improving the water system at Rockport.

2) Impact of State Board of Health Shoreline Sewage System Repair Regulations - Tom Karsh.

Mr. Karsh explained that the State Legislature has asked the State Board of Health to devise regulations to police failing and non-conforming sewage systems. On September 13, the State Board of Health met to compile those regulations and came up with several items pertaining to management of marine shoreline systems.

Mr. Karsh stated that previously, the County had no way to regulate failing or non-conforming systems. Now, since technology has caught up with the market for systems which can be utilized in shoreline areas, the Board of Health has devised a list of devices that local level enforcement can advise for use in treatment of waste water.

Mr. Karsh stated that in the past, sewage systems have been judged according to design standards, but no standards have been set for the functioning of the systems, i.e., how well the system is treating waste water. Mr. Karsh stated that now property owners must demonstrate that their sewage device treats

water to the established standard. This also creates a utilities management concept; the idea that periodic testing must be performed for conformity to the standards. Operational permit fees must be established to fund this management. Mr. Karsh stated that his department is reviewing this question and will return at a later date with suggestions.

Mr. Karsh pointed out that, as sewage systems are required to be updated and upgraded, there may be an increase in requests for shoreline building permits to remodel and enlarge homes that were previously held down to a meager size by their lack of appropriate sewage treatment.

John Thayer, Environmental Health Supervisor, advised that there is also an ongoing process to update the entire State sewage codes. The Board will also be addressing other shorelines, as well as inland sewage systems.

MISCELLANEOUS ITEMS.

- A. The Board approved for signature Grant Amendment #2 to Grant #TAX 89008 between the Department of Ecology and Skagit County Environmental Health. Mr. Thayer explained that the original grant allowed \$25,000, and was used to hire another Environmental Health Specialist, and later increased by \$6,000 for equipment for monitoring of landfills. Mr. Thayer stated that funds for projects regarding illegal dumping have been overspent, and this amendment realigns the grant monies from one fund to another to cover the expenditures, without increasing or decreasing the total amount of the grant.
- B. Phyllis Coole-McKeehen, Skagit County Clerk, thanked the Board for their support for her completion of the Institute for Court Management Course. She described the course, and presented each Commissioner with a copy of her thesis, which was a time study on civil court case processing in Skagit County.
- C. Commissioner Vaux motioned to adopt the Records of the Proceedings from Monday, September 18, 1989, Tuesday, September 19, 1989, and Wednesday, September 20, 1989, as submitted. Commissioner Wylie seconded the motion, which passed unanimously.
- D. The Board approved for signature the Petition for Property Tax Refund of Clive E. Karns, 179 Skyraider Avenue, NAS Lemoore, CA 93245, in the amount of \$42.45, due to a destruction of property claim. (009789)
- E. The Board reviewed recommendations by JoAnn Angevine of the Human Services Department for membership on the Mental Health Advisory Board. Commissioner Wylie motioned to appoint Mary Good to the Board, effective October 1, 1989, and expiring October 1, 1992. Commissioner Vaux seconded the motion, which passed unanimously. (Resolution #12226)

Commissioner Wylie then motioned to appoint Cliff Groomer to the Mental Health Advisory Board to replace Marguerite Davis, who has resigned. His appointment will begin October 1, 1989, and expire October 1, 1992. Commissioner Vaux seconded the motion, which passed unanimously. (Resolution #12227)

- F. The Board approved for signature an Interagency Agreement between the Department of Social and Health Services and the Skagit County Human Services Department for the award of \$5,000 to be used to support advocate and consumer groups involved with mental health community programs.
- G. Chairman Rohrer indicated that he wished to send a letter to the Public Works Department declaring that there will be no more removal of resources from County-owned property for personal use. He cited complaints regarding use of County vehicles and property for private wood cutting projects. He also stated that the road crew needs guidelines for the disposal of wood to charitable agencies. The Board decided to direct Robert W. Taylor, Administrative Officer, to write a letter to the Public Works director expressing the Board's sentiments.
- H. Dolly Modra, a Skagit County resident from the Cedargrove addition, located on the south side of the Skagit River about two miles east of Concrete, brought to the Board a sample of water drawn from her kitchen tap yesterday, which was brown in color. She complained about the clarity of her water and the lack of water pressure. She stated that she had complained to the Coleman's, who apparently manage the Cedargrove waterworks, to no avail. She complained about the lack of good drinking water lowering her property value, the number of burglaries in her area, the cows located around the area's well site. She complained about the awarding of a bid by the water association to Dahlman Well Drilling, and about the extra cost of moving their well site. She stated that she has written a letter to Representative Mary Margaret Haugen, asking for an Attorney General's investigation of the matter. She stated that she is angry with the Health Department for failing to report back to her regarding her last water sample test. She complained that her neighbors have better water and water pressure than she, presumably because of some arrangement with the water association. She complained that the current water system managers do not put chemical into the water, as they say they are. She was angry because her neighbors do not lend her vocal support at water association meetings. Chairman Rohrer promised to discuss the return of her water sample test data with the Health Department and recontact her with the results.

PUBLIC WORKS DEPARTMENT - MARK SPAHR, DIRECTOR:

1) Public Hearing: Speed Limit Reduction - Shaw Road.

Chairman Rohrer waived the reading of the Notice of Public Hearing, as published in The Skagit Argus on September 12 and 19, 1989.

Mr. Spahr explained that Shaw Road is an unposted, one lane gravel road in the Alger area. The default speed limit on the road is 35 m.p.h. Area residents have submitted a petitioned the Public Works Department to lower the speed limit to 25 m.p.h. A Traffic Engineer's Report compiled by Ed Hawes concurs with the speed limit reduction, and suggests that the speed limit be posted as an advisory post rather than a regulatory speed. Mr. Spahr explained the difference between an advisory post and a regulatory post. He stated that the

sign would be placed just below the sign designating the road a dead end. Mr. Spahr stated that residents feel there are certain individuals who are driving too fast for the conditions of Shaw Road.

Commissioner Vaux motioned to close the public hearing. Commissioner Wylie seconded the motion, which was unanimously approved. Commissioner Vaux then motioned to accept the recommendation of the traffic engineer and lower the speed limit on Shaw Road in Alger to 25 m.p.h. as an advisory post. Commissioner Wylie seconded the motion, which was unanimously approved.

2) Resolution: D.E.M. Authorization to Acquire Federal Surplus Property.

The Board approved for signature a resolution from the Department of General Administration, establishing authorized signatures of representatives of the Department of Emergency Management who may acquire Federal Surplus Property from the Washington Property Redistribution Office.

3) Resolution: Authorizing Opening of Unopened County Right-of-Way Known as 18th Street - Mount Vernon.

Jeff Monsen, Assistant Public Works Director, explained that the Board held a public hearing in January to consider the opening of County right-of-way known as 18th Street, located off of Blodgett Road in Mount Vernon. Mr. Monsen explained that conditions were set at that public hearing as contingencies to the opening of the right-of-way. The applicant has now complied with those conditions, and a resolution is submitted for consideration.

Commissioner Wylie motioned to adopt the resolution authorizing the opening of an unopened County right-of-way known as 18th Street, off of Blodgett Road in Mount Vernon. Commissioner Vaux seconded the motion, which was approved unanimously. (Resolution #12225)

4) Discussion: Landscaping Skagit County Resource Recovery Facility.

Mr. Spahr explained that the lowest bid received for the full landscaping services at the incinerator was \$93,000. He stated that the original estimate for the work was \$60,000. This estimate was compiled by Wright Schuchart Harbor as an incidental to the incinerator construction contract, and was later deleted from the contract, never having been meant to act as a stand-alone feature. Additionally, this figure is a two year old estimate, and did not contain an estimate for an underground sprinkler system, which was requested in the recent bid. Mr. Spahr stated that, with September nearly gone and October a marginally good month to begin landscape work, the alternative being to delay until spring, a decision will need to be made on whether to rebid the project, award the bid at this time, or delete portions of the bid items and award the bid.

Chairman Rohrer voiced his objection to the figure of \$93,000 for shrubbery.

Commissioner Vaux suggested having the road crew perform some earth moving to facilitate sprinkler system installation, then having the grass planted, but leaving the shrub planting for next year.

Commissioner Wylie stated she felt the bids were high. She stated she wished to include the irrigation system in the landscaping, and would agree to having that item broken out of the original bid. She stated that she would like to utilize local contractors whenever possible.

Bill Ness, Environmental/Solid Waste Engineer, stated that the contractor with the low bid has been contacted and tentatively agrees to separate the irrigation system installation from the total bid.

Charlie Hersberg, landscaper, 314 North 7th, Mount Vernon, agreed with Commissioner Wylie's recommendation to utilize local labor.

Commissioner Wylie then motioned to accept the bid for sprinkler installation by Frontier Landscaping of Monroe for a total of \$17,725 plus tax.

Mr. Ness requested to be allowed to verify the willingness of the contractor to accept these terms, and Commissioner Wylie withdrew her motion.

In answer to a question by Mr. Hersberg, Commissioner Vaux stated that there would be no change in the design of the project, just an extension of completion time. Commissioner Wylie suggested also substitution of the shrubbery bid upon for more local varieties.

Terry Wiggins of Wells Nursery, East Section Street, Mount Vernon, stated that, from a professional point of view, the grades of the land must be attended to before an irrigation system can be installed. He stated that the County might save money by breaking the irrigation system installation out of the original bid, as local contractors might be more apt to bid on the modified project.

Mr. Ness stated that, although all local landscapers had been contacted regarding the bid, none submitted a bid, and he understood that those who attempted were unable to obtain a performance bond.

Mr. Spahr argued that the bid was sent out for a general design with few details, and that if all bids are rejected and only the irrigation system put out for bid, the amount of detail on the design blueprints might not be adequate for competitive bid. He stated that the irrigation system had been based on a performance bid only.

Discussion ensued on the accuracy of the design blueprints, during which Mr. Spahr stated that the design blueprints focus on plant varieties and their placement. Mr. Ness made the statement that landscaping is not an exact business and is difficult to measure quantitatively, therefore it may be possible to negotiate further with the chosen contractor.

Commissioner Vaux stated his concern that if there were no general contractor for the project, there would be no one to look to in the event difficulties are encountered. He motioned to reject all bids, and instruct the public works department to do clean up maintenance to last through the winter months. Commissioner Wylie seconded the motion, but stated she was not happy about it. The motion passed unanimously.

Commissioner Vaux noted that a weed problem now exists at the site, and recommended that the area be rolled and planted with grass seed according to the original design.

Mr. Wiggins felt that the planting of grass would be possible as a cosmetic remedy, stating that weed spraying would have to be done whether the grass is planted now or in the spring. He made further comment that the County might consider hiring a professional project manager. Commissioner Vaux answered that the County has retained Peter Harvard of Harvard and Associates for that role.

5) Miscellaneous Items.

A. Mr. Spahr reported that some progress has been made on a request by residents of the Skagit Golf and Country Club west of Burlington to include certain roads in that area in the County roads system. Mr. Spahr stated that plan drawings have been completed and entered onto a computer aided drafting machine. He stated that engineers are surveying the area and acting to address off-site drainage questions. He stated that he has set a goal of scheduling a meeting at the Country Club for mid-October.

B. Commissioner Vaux asked that the Board direct the Public Works Department to send a letter to all Skagit County School Districts, encouraging them to evaluate the safety of their bus routes and bus services, in light of a recent bus accident in Texas, in which a number of school children died. He stated that the Public Works Department should even offer the services of Ed Hawes, Traffic Engineer, for consultation, if desired.

PUBLIC HEARING: GIBRALTAR GREENHOUSE LEASE.

Chairman Rohrer waived the reading of the Notice of Public Hearing, as published in The Skagit Argus on September 5, 12 and 19, 1989.

Roger Howard, Facilities Manager, explained that the purpose of the public hearing is to consider the disposition of the County's Gibraltar Greenhouses, located on Gibraltar Pit Road, through the entertainment of new proposals and review of the old lease agreement, which expires on September 30, 1989.

Mr. Howard stated that he has received no letters of interest regarding purchase of the property; however, Carl Loeb of Summersun Greenhouses, the current leasee, has expressed an interest in submitting proposals to the Board.

Mr. Loeb submitted a letter dated September 25, 1989, outlining three alternatives for disposition of the greenhouses, as follows:

- #1 Maintain lease agreement until July of 1990 to allow Summersun to finish planned crop activities. Renew lease agreement for 5 additional years at \$450 per month, with maintenance being the responsibility of Summersun.

#2 Execute alternative #1, with additional provision that at lease expiration, Summersun would remove the structures and utilities at no charge, paying the County the prevailing scrap rates for the materials removed.

#3 Sell the greenhouses to Summersun for \$12,00 on a 5 year contract at 9% per annum. In addition, rent the property and outbuilding to Summersun for 5 years at a rate of \$200.00 per month.

Mr. Loeb stated that Summersun has need of the property for another 5 years, and that he would welcome whatever arrangement would allow Summersun to use the greenhouses for another 5 years.

The Board discussed the alternatives, and noted that #2 and #3 would be impossible due to the regulations regarding declaration of surplus County property.

Mr. Howard reiterated the road crew's lack of interest in the property, and JoAnn Angevine, Human Services Director, noted that the agreement for Referendum 37 funds which were used to construct the greenhouses has been satisfied, allowing disposal of the property. Mr. Howard pointed out that a new housing development is being established on Gibraltar Pit Road.

Answering a question from Commissioner Vaux, Mr. Loeb stated that he is paying \$450 per month for lease of the greenhouses. He stated that the County may find they have a better market for the property in five years, where they may not find interest for the property now.

Seeing no further comment, Commissioner Vaux motioned to close the public hearing. Commissioner Wylie seconded the motion, which passed unanimously. Commissioner Vaux then motioned to proceed with Mr. Loeb's alternative #1 and enter into another lease agreement with Summersun dated to expire 5 years from September 30, 1989. Commissioner Wylie seconded the motion, which was unanimously approved.

MISCELLANEOUS ITEMS.

Miscellaneous items were discussed at this time for the convenience of the audience.

A. JoAnn Angevine, Human Services Director, gave information regarding a work group on the development of the Northern State campus of which she is a member, and which recently met for the second time. She stated that Nick Cockrell of the State General Administration attended that meeting, at which he stated that the Tsang Corporation has been selected to act as consultants for the project. Ms. Angevine stated that many attending the meeting expressed a desire to meet with the consultants, prompting the General Administration to establish a date of October 3 at 9:00 a.m. at Portal Industries on the Northern State Campus, and October 16 for a follow up meeting. One representative from Skagit County was invited to attend the meeting. Mr. Angevine requested that the Board consider sending a local representative from the Regional Mental Health Network.

The Board discussed with Roger Howard the plans for remodeling of Denny Hall on the campus, and it was decided that Roger Howard and Commissioner Wylie would attend the meeting.

SIGNATURE - SENIOR SERVICES ACTION GRANT.

The Board approved for signature a Federal Assistance Action Grant application for a total of \$67,392 in funding for the Retired Senior Volunteer Program, as submitted by Tim Holloran, Senior Services Director.

INTRODUCTION OF NEW EMPLOYEES - FACILITIES MANAGEMENT DEPARTMENT.

Roger Howard, Facilities Manager, introduced Debbie Dalton, custodian, a new addition to the Facilities Management Department.


MISCELLANEOUS ITEMS.

- A. Tim Holloran stated that, regarding the suggestion that janitorial services for the Mount Vernon Senior Center be included in a full time position with janitorial services for the Resource Recovery Facility, he has spoken to Sharon Dubois of the Facilities Management Department, who estimated that cleaning at the Resource Recovery Facility would take three hours per day. Cleaning at the Mount Vernon Senior Center was estimated at five hours per day. He asked that the Board consider whether the position should be offered as a full time position, and under whose department it should be administrated. He stated he would return to the Board next week to discuss the remaining 10 weeks left in the current Mount Vernon Senior Center custodial contract.
- B. Commissioner Wylie motioned to adopt the resolution submitted by Mike Woodmansee, Budget/Finance Director, authorizing a budget line item change in the amount of \$6,000 from the Professional Services budget of the Skagit County Fair Fund to their Operating Supplies fund. Commissioner Vaux seconded the motion, which was carried unanimously. (Resolution #12228)
- C. As of this date, September 25, 1989, the Board, by unanimous vote, did approve for signature the following warrants and vouchers:
- 1) Warrant #61711 through #61844 (Voucher #61711 through #61844) in the amount of \$391,469.82 (R-25-89).
 - 2) Warrant #47643 through #48040 (Voucher #908786 through #909368) in the amount of \$380,592.57 (C-41-89).
- D. The Board approved for signature a contract addendum to the agreement with Richard Weyrich and Tom Verge, Attorneys, for payment for provision of indigent defense services on misdemeanor charges.

ADJOURNMENT

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

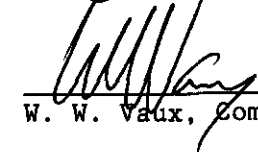
BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON



Dave Rohrer, Chairman



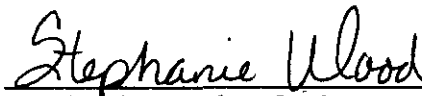
Ruth Wylie, Commissioner



W. W. Vaux, Commissioner



ATTEST:



Stephanie Wood, Clerk
Skagit County Board of Commissioners