

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS

Monday, November 6, 1989

8:30 a.m. Call for Public Hearings - Budget Amendments.

9:00 a.m. Proclamation - Great American Smoke-Out, November 16, 1989.

MISCELLANEOUS ITEMS.

9:30 a.m. Discussion with Representative of Senator Gorton's Office Regarding Skagit County Issues.

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

- 1) Public Hearing - Speed Limit Reduction - Lyman Hamilton Highway.
- 2) Public Hearing - Speed Limit Reduction - South Skagit Highway.
- 3) Discussion - Brookings Road Extension.
- 4) Signature - Ordinance Establishing a School Speed Limit Zone on West Big Lake Boulevard #8950 and Cook Road #6300.
- 5) Establish C.R.P. Preliminary Engineering for Signalization on a) Blanchard Railroad Crossing, and b) Gardner Railroad Crossing.
- 6) Signature: Local Agency Agreement with W.S.D.O.T. for Signalization and Channelization at Hwy. 20 and Avon Allen Road.
- 7) Discussion - Status of Formation of R.I.D. - Country Club Drive.
- 8) Bid Award Recommendation - Cape Horn Road etal Guardrail.
- 9) Update - C.R.P. Cape Horn Road etal Construction Fund.
- 10) Out-of-State Travel Request.
- 11) Miscellaneous.

MISCELLANEOUS ITEMS.

2:30 p.m. Presentation - Wild and Scenic Rivers Act - U.S. Forest Service.

The Skagit County Board of Commissioners met in regular session on Monday, November 6, 1989, with Commissioners Dave Rohrer, Ruth Wylie and W. W. Vaux present.

CALL FOR PUBLIC HEARINGS - BUDGET AMENDMENTS.

Mike Woodmansee, Budget/Finance Director, presented two resolutions for consideration, explaining each.

The first resolution involved \$37,442 in funds for the second half of the biennium for AIDS education and child health services, which have been received from DSHS and should be directed toward the Public Health Fund. Commissioner Wylie motioned to adopt the resolution calling for a public hearing on November 15, 1989, at 10:00 a.m., to consider a supplemental budget in the amount of \$37,442 to the Public Health Fund #101. (Resolution #12271)

The second resolution involved \$7,000 in the Flood Control Budget for the Hansen Creek Sub-Flood Control Zone flood project, which needs to be accounted for in the 1989 budget. Commissioner Wylie motioned to adopt the resolution calling for a public hearing on November 15, 1989, at 10:00 a.m., to consider a supplemental budget in the amount of \$7,000 to the Hansen Creek Sub-Flood Control Zone. Commissioner Vaux seconded the motion, which passed unanimously. (Resolution #12272)

PROCLAMATION - GREAT AMERICAN SMOKE-OUT, NOVEMBER 16, 1989.

On behalf of the Skagit County Employee Wellness Committee, Bob Taylor, Administrative Officer, presented a Proclamation declaring November 16, 1989, "Great American Smoke-Out Day". He explained that this celebration is a nationally recognized event first conceived of by the American Cancer Society. The event encourages smokers to give up smoking for one day, in hopes that one day will lead to complete abstinence from smoking. Mr. Taylor stated that in conjunction with the smoke-out day, Skagit County's Wellness Committee has proposed an "adopt-a-smoker" day, in which non-smoking employees will be encouraged to adopt a smoking employee to encourage them through the smoke-out day and beyond.

Commissioner Wylie read the proclamation and motioned to declare November 16, 1989, "Great American Smoke-Out at Skagit County". Commissioner Vaux seconded the motion, which passed unanimously.

MISCELLANEOUS ITEMS.

- A. JoAnn Angevine, Human Services Department Director, stated that Leona Anderson, the mother of a 30-year-old daughter who was enrolled in the County's Developmentally Disabled person's program, has expressed an interest in serving on the Developmental Disability Administrative Board. Mrs. Anderson approached the Developmental Disability Board with complaints regarding the administration of the CTC Corporation which contracts with Skagit County to provide Developmental Disability services, and was asked if she would serve on the board. Ms. Angevine stated that Mrs. Anderson is a 5-year resident of the City of Sedro Woolley, and that she would be very pleased to recommend Mrs. Anderson for a seat on the board.

Commissioner Vaux motioned to adopt the resolution appointing Leona Anderson to the Developmental Disabilities Administrative Board, to expire on November 6, 1992. Commissioner Wylie seconded the motion, which passed unanimously. (Resolution #12273)

- B. The Board approved for signature a Certificate of Commendation for Dayle Hildebrand, an Office Assistant in the Skagit County Health Department, who is retiring after 21 years of service to Skagit County.
- C. Commissioner Vaux motioned to adopt the Record of the Proceedings from Monday, October 30, 1989; Tuesday, October 31, 1989; Wednesday, November 1, 1989; and Thursday, November 2, 1989, as submitted. Commissioner Wylie seconded the motion, which passed unanimously.

- D. Commissioner Vaux motioned to approve the property tax refund of Alice A. Johnson, 1867 Burkland Road, Mount Vernon, WA 98273, in the amount of \$441.05, due to a senior citizen exemption (012289).

DISCUSSION WITH REPRESENTATIVE OF SENATOR GORTON'S OFFICE REGARDING SKAGIT COUNTY ISSUES.

Chris Wilder, a representative from Senator Slade Gorton's Office in Olympia, introduced himself to the Board as a person who acts as a conduit for information between counties in Washington State and Senator Gorton's office. He stated that his visit today is to keep the lines of communication open to the counties, listening to their concerns and conveying them to Senator Gorton. He invited the Board to make comments.

Chairman Rohrer noted that he wished federal and state governments to take control of the waste stream, putting a stop to wasteful practices by manufacturers, restaurants, retail stores, etc.

Commissioner Wylie indicated her concerns that Skagit County law and justice departments' budgets will account for 64% of the County's budget in 1990. She discussed the need for additional funds to help fight crime and drugs in Skagit County. Secondly, she noted that since the Wild and Scenic Rivers Act prohibited Skagit County from constructing flood control dams on the Skagit River and its tributaries, it has been necessary to perform more diking and rip-rapping, at a higher cost to the County. Lastly, Commissioner Wylie pointed out the need for rail transportation from the Canadian border to the Oregon border for both passenger and freight.

Commissioner Vaux stated that in past years, the federal forest funds for Skagit County accounted for \$500,000 in the County Roads budget. A 50/50 split of the timber funds allows contributions to the County Roads fund and education funds in Skagit County yearly. Although the 1988 timber sales contributed \$450,000 to the County Roads fund this year, with no timber sales in 1989 due to the Adams-Pacque Bill, both of those funds will suffer. Additionally, Commissioner Vaux noted, in 1986 federal aid to counties was drastically cut. Finally, Sheriff Frazier feels that under the new drug bill, fewer dollars will find their way to county criminal justice in 1990 than in 1989. Commissioner Vaux implored the federal government to consider the consequences of their budget cuts.

Mr. Wilder discussed transportation problems in Puget Sound with the Board, giving information on the possibility of light rail transportation in Washington State. There was further discussion on the Adams-Pacque Bill, Law and Justice funding and the drug problems in various Washington counties.

In closing, Mr. Wilder described the various functions of Senator Gorton's office, and invited the Board to take advantage of the many services offered there via the Outreach Program and Case Problems Department.

PUBLIC WORKS DEPARTMENT - MARK SPAHR, DIRECTOR:

1) Public Hearing - Speed Limit Reduction - Lyman Hamilton Highway.

Chairman Rohrer waived the reading of the Notice of Public Hearing, as published in The Skagit Argus on October 17, 24 and 31, 1989.

Mr. Spahr located the Lyman Hamilton Highway on a vicinity map and submitted an Engineer's Report compiled by Ed Hawes, Traffic Safety Engineer.

Mr. Hawes reviewed his report, stating that the condition of the pavement on the highway is one of rapid deterioration. The speed limit currently is 35 and 40 m.p.h. He recommended lowering the speed to 30 m.p.h. on all County sections, and signing as "rough roadway".

Jeff Monsen, Assistant Public Works Director, explained the Lyman Hamilton Highway's priority in the County Road program, stating that further discussions would occur during a work session on the 1990 County Road program scheduled for next week.

Seeing no further public comment, Commissioner Vaux motioned to close the public hearing. Commissioner Wylie seconded the motion, which was unanimously approved.

Commissioner Vaux then motioned to adopt the recommendations of the Engineer's Report and lower the speed limit on the Lyman Hamilton Highway from milepoint 4.43 to milepoint 5.39 and from milepoint 5.93 to milepoint 6.91 to 30 m.p.h. Commissioner Wylie seconded the motion, which passed unanimously.

2) Public Hearing - Speed Limit Reduction - South Skagit Highway.

Chairman Rohrer waived the reading of the Notice of Public Hearing, as published in The Skagit Argus on October 31, 1989.

Chairman Rohrer opened the discussion by reading a petition signed by 36 persons who oppose the lowering of the speed limit on South Skagit Highway from milepoint 7.57 to milepoint 9.07.

Mr. Hawes located the area on the South Skagit Highway in the vicinity of Day Creek where last week the Board lowered the speed limit from 50 m.p.h. to 35 m.p.h. due to the extreme curves on that stretch of road. He also located an area from the Walberg Road to the beginning of the new 35 m.p.h. zone, milepoint 7.57 to milepoint 9.07, which Don Bockelman, a Day Creek resident, had suggested be lowered as well. Mr. Hawes explained that his report recommends that the speed limit for this section remain at 50 m.p.h., as any lowering of the speed limit would probably increase the speed variance of the section, and because of the straight roadway and good visibility, increase the chances of passing maneuvers, increasing vehicular conflict.

Charlene Robinson, 1087 Potts Road, Day Creek, stated that she helped to collect the signatures contained in the petition. She stated that she did not learn of the public hearing until Saturday, two days ago, and, had she

known of it earlier, she could have collected many more signatures. She stated that everyone she spoke with felt that the speed limit set at the meeting last week for the curvy area in the town of Day Creek is appropriate, but that the section being discussed today should not be lowered.

Don Bockelman, 2863 South Skagit Highway, Day Creek, demonstrated the location of his home on the vicinity map. He pointed out that the school bus makes numerous stops on the highway near his house. He stated that vehicle speeds on this section of highway range from 55 to 80 m.p.h. He remarked that there are numerous houses along this section, and that there have been numerous single car accidents there, including a series of recent serious accidents.

Chairman Rohrer noted that, according to the Engineer's Report, only three houses are located in the area and that only three traffic accidents were reported from 1986 to 1988.

Commissioner Wylie pointed out that the Engineer's Report also states that the average speed on this section of highway is 40 m.p.h., as evidenced by a study of the traffic. Additionally, the rest of the South Skagit Highway's speed limit is 50 m.p.h., and school buses make stops along the entire length of the highway.

Finally, Mr. Bockelman pointed out that there are very narrow shoulders on the section of highway in question.

There being no further public comment, Commissioner Wylie motioned to close the public hearing. Commissioner Vaux seconded the motion, which passed unanimously.

Commissioner Vaux then motioned to adopt the recommendations of the Engineer's Report and allow the speed limit on the area in question on South Skagit Highway to remain at 50 m.p.h., but to direct the Sheriff's Office to increase patrol and speed limit enforcement in that area. Commissioner Wylie seconded the motion, which was unanimously approved.

3) Discussion - Brookings Road Extension.

Mr. Spahr opened the discussion. He stated that Chairman Rohrer had asked, at the last discussion, for the property owners, the McNabs and Proctors, to take 30 days more to attempt a settlement in their dispute and, barring that, to return at the end of 30 days.

Gary Jones, attorney for the McNabs, stated that the McNabs wish to hold to their position that they are only willing to deed 50 feet of property to Skagit County to establish a county road, and access to Mrs. Proctor's property.

Tom Moser, attorney for the Proctors, stated that the Proctors are willing to consider any of three alternatives; 1) to quit claim property sufficient for construction of a cul de sac, 2) to meet with the McNabs in an attempt to reach a settlement, or 3) Mrs. Proctor would be willing to put herself in a moratorium against development of her land for a specified period of time to

reassure the McNabs of her intention to maintain the integrity of her property. Mr. Moser stated that the McNabs have made no response to these alternatives, and that the Proctors consider their discussion with the McNabs to be at an impasse.

John Moffat, Chief Civil Deputy, explained that in order for the County to have any further involvement in the matter, and in the absence of receiving a quit claim deed for the property required to settle the matter to the satisfaction of the Board, the County must file a quiet title action in Superior Court. At that time, a Superior Court judge will decide what the legal boundaries of the county road are or are not. If the County's right of imminent domain is established, then the County has the option of condemning additional property to facilitate whatever course they may choose.

Mr. Spahr stated that the issues stand that the 50 feet of right-of-way the McNabs are presently offering via quit claim would not be sufficient to allow Mrs. Proctor the ability to develop her land any further, and would not be enough property to facilitate the construction of a cul de sac.

Chairman Rohrer made a statement to the effect that he feels a cul de sac should be developed, although admits the County's mistake in providing up keep on the road for a number of years without checking County records to see that it actually was within the roads system.

Both attorneys made arguments regarding the mail delivery and school bus access via the McNab property/extension of Brookings Road. Mr. Moser suggested that the County litigate the property up to the County's culvert, stating that the McNabs put themselves into a position where the ultimate outcome might be the litigation of the road all the way to their house.

Mr. Jones pointed out that in that case, the Board would be providing paved access to a private residence.

Commissioner Wylie motioned to instruct Mr. Moffat to proceed with a court action which would establish enough property to facilitate the construction of a cul de sac on the extended portion of Brookings Road. Commissioner Vaux seconded the motion, which passed unanimously.

4) Signature - Ordinance Establishing a School Speed Limit Zone on West Big Lake Boulevard #8950 and Cook Road #6300.

In accordance with action previously taken, the Board approved for signature an Ordinance establishing a school speed limit zone of 20 m.p.h. when children are present on West Big Lake Boulevard in the vicinity of Big Lake Elementary School from milepoint 0.00 to milepoint 0.14, and on Cook Road in the vicinity of the Allen Elementary School from milepoint 0.00 to milepoint 0.18.

5) Establish C.R.P. Preliminary Engineering for Signalization on a) Blanchard Railroad Crossing, and b) Gardner Railroad Crossing.

Mr. Spahr stated that the W.S.D.O.T. funds for railroad crossing upgrades have been received. He presented two resolutions establishing County Road Projects to accomplish the projects.

Commissioner Vaux motioned to approve the resolution establishing C.R.P. #6311-2 and allotting \$8,000 to perform location engineering for installation of shoulder mounted automatic flashing light, traffic control devices with predictors and gates at the Gardner Road railroad crossing, from milepoint 1.71 to milepoint 1.76. Commissioner Wylie seconded the motion, which passed unanimously. (Resolution #12275)

Commissioner Vaux then motioned to approve the resolution establishing C.R.P. #2444-1 and allotting \$8,000 to perform location engineering for installation of shoulder mounted automatic flashing light, traffic control devices with predictors and gates at the Blanchard road railroad crossing, from milepoint 0.02 to milepoint 0.07. Commissioner Wylie seconded the motion, which passed unanimously. (Resolution #12276)

6) Signature: Local Agency Agreement with W.S.D.O.T. for Signalization and Channelization at Hwy. 20 and Avon Allen Road.

The Board approved for signature a Local Agency Participating Agreement with W.S.D.O.T. for signalization and channelization of Avon-Allen Road where it intersects with Highway 20. Mr. Spahr stated this project will include construction of left turn lanes in both directions, filling in and narrowing of road shoulders, and installation of a four-way stop.

7) Discussion - Status of Formation of R.I.D. - Country Club Drive.

Chairman Rohrer commended the Public Works Department and Robin LaRue for their work on the public meeting held at the Country Club last month on the formation of a Road Improvement District.

Mr. LaRue, Design and Construction Section Manager, displayed a map of Country Club Drive and cul de sac tributaries, showing the numbered lots adjacent to the roads, and which property owners had submitted comment sheets and votes favoring the establishment of an R.I.D., as well as the one negative vote and comment sheet. Mr. LaRue stated that of the three options given to the property owners for improvements to their roads, most favored option C. Mr. LaRue reviewed the next steps necessary for formation of the district, and for institution of improvements to the roads.

8) Bid Award Recommendation - Cape Horn Road etal Guardrail.

Mr. LaRue stated that, of the three bids received on October 19, 1989, the Public Works Department recommends that award be made to the Junlo Corporation, which has worked for Skagit County on several occasions, and is the low bidder at \$121,325.75.

Commissioner Wylie motioned to adopt the recommendation of the Public Works Department and award the bid for guardrail reconstruction and installation on portion sof Cape Horn and Concrete Sauk Valley Roads to the Junlo Corporation of Portland, Oregon, for the bid price of \$121,325.75. Commissioner Vaux seconded the motion, which passed unanimously. (Resolution #12277)

9) Update - C.R.P. Cape Horn Road etal Construction Fund.

In accordance with the award of the bid, Commissioner Wylie motioned to adopt the resolution establishing C.R.P. #9500-1, and allotting engineering and construction funds in the amount of \$152,325.00 for the installation of beam guardrail at various locations on the Cape Horn and Concrete Sauk Valley Roads. Commissioner Vaux seconded the motion. The motion passed unanimously. (Resolution #12278)

10) Out-of-State Travel Request.

The Board approved for signature an Out-of-State Travel Request for Public Works Department employees Mark Spahr and Bill Ness to attend a Waste Equipment and Recycling Expo '89 in Long Beach, California, from December 4, 1989 to December 8, 1989.

MISCELLANEOUS ITEMS.

- A. Mr. Spahr stated that he, Jeff Monsen, Assistant Public Works Director, and Rebecca Voerman, Recycling Coordinator, met with city mayors at their monthly information work session to introduce Ms. Voerman and discuss issues pertinent to the cities.

Mr. Spahr stated that part of the discussions centered around the imminent decision on the make up of the Public Transportation Benefit Area Board of Directors. Mr. Spahr read to the Board the portion of the RCW's which governs the establishment of the PTBA Board, and stated that the mayors generally agreed upon the following members:

- the three County Commissioners
- the mayors of the four largest cities
- an elected representative of the small cities (suggested for that seat was the Mayor of LaConner)
- one Port of Skagit County Commissioner

Mr. Spahr suggested that the Board might wish to contact the Port and small cities to discuss how they would feel about this arrangement. He felt that a general consensus could be reached prior to the meeting at which the decision will be made.

The Board discussed with Mr. Spahr the representation of the eastern communities. The Board agreed that they wished to see an elected official who is a resident of the upriver communities as a representative on the PTBA Board.

- B. Mr. Spahr stated that an inventory of the management skills in the Public Works Department employees in supervisory positions has yielded a wide range of levels of management abilities. He stated that he, Jeff Monsen, Assistant Public Works Director, and Mary Cherberg, Office Engineer, met with a number of management consultants and chose Bob Tacy of Modern Creative Seminars to development an appropriate course to raise the level of management abilities in the Public Works Department.

Mr. Spahr stated that the course submitted by Mr. Tacy involves a two-day training session to be held at the Skagit Valley Inn, where 30 to 35 Public Works Department employees, range 12 and above, will attend classes and lectures on a variety of subjects dealing with management of employees. Mr. Spahr stated that the cost for the service is \$100 per person per day, totaling approximately \$10,000 for the project, and that two follow up days would be optionally available to each employee.

Mr. Spahr indicated that Bob Taylor, Administrative Officer, has expressed an interest in auditing the course, with the intention of possibly extending the course to other departments.

The Board approved Mr. Spahr's plan.

MISCELLANEOUS ITEMS.

A. As of this date, November 6, 1989, the Board, by unanimous vote, did approve for signature the following warrants and vouchers:

- 1) Warrants #62058 through #62155 (Vouchers #62058 through #62155) in the amount of \$742,133.72 (R-29-89).
- 2) Warrants #49204 through #49508 (Vouchers #910805 through #911217) in the amount of \$527,894.19 (C-47-89).

PRESENTATION - WILD AND SCENIC RIVERS ACT - U.S. FOREST SERVICE.

This item was cancelled due to a personal emergency of the U.S. Forest Service representative who was to give the presentation. It will be rescheduled at a later date.

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

Dave Rohrer, Chairman

Ruth Wylie

Ruth Wylie, Commissioner

W. W. Vaux

W. W. Vaux, Commissioner

ATTEST:

Stephanie Wood

Stephanie Wood, Clerk
Skagit County Board of Commissioners