

RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS

Tuesday, January 2, 1990

- 8:30 a.m.      1) Election of 1990 Chairman - Skagit County Board of Commissioners.  
                 2) Signature - Contract for Substance Abuse Treatment Program - Juvenile Probation Department.

MISCELLANEOUS ITEMS.

9:00 a.m.      Public Works Department - Mark Spahr, Director:

- 1) Discussion - Temporary Road Closures for Nookachamps Half-Marathon.
- 2) Signature - Final Cost Records for Beaver Marsh Road.
- 3) Signature - Resolution and Final Cost Records for Lake Cavanaugh Road.
- 4) Miscellaneous.

11:00 a.m.      Public Hearing - Amendments to Skagit County Code Chapter 9.16 - Possession, Use of Intoxicating Liquor.

1:30 p.m.      Regional Wetlands Sewage Treatment Update - AGHAST.

MISCELLANEOUS ITEMS.

2:30 p.m.      Discussion - Agreement with Whatcom County Regarding Exchange of Conflict Cases - Public Defender's Office.

The Skagit County Board of Commissioner met in regular session on Tuesday, January 2, 1990, with Commissioners Dave Rohrer, Ruth Wylie, and W. W. Vaux present.

ELECTION OF 1990 CHAIRMAN - SKAGIT COUNTY BOARD OF COMMISSIONERS.

Chairman Rohrer thanked the Board for their cooperation and professionalism during his term as chairman of the Skagit County Board of Commissioners. He nominated Ruth Wylie, Commissioner from District #2, to replace him as Chairman of the Board.

Commissioner Vaux noted that a tradition of rotating the chairmanship of the Board of County Commissioners was begun in 1987 and has been carried out ever since. He commended Chairman Rohrer for his service as chairman over the past year, and seconded the nomination of Commissioner Wylie for chairman.

A vote was called and Commissioner Wylie received unanimous approval for the position of chairman of the Board of County Commissioners.

SIGNATURE - CONTRACT FOR SUBSTANCE ABUSE TREATMENT PROGRAM - JUVENILE PROBATION DEPARTMENT.

Terry Rousseau, Director of the Skagit County Juvenile Probation Department, introduced Craig Stoner, Assistant Juvenile Probation Director.

Mr. Stoner explained that he was presenting a contract with the Washington State Department of Social and Health Services that would provide Skagit County with Omnibus Drug Bill funds of \$30,728 for an in-house alcohol and drug treatment program to be utilized by juveniles recommended for treatment during detention periods. He stated that a program has been planned that would provide four 30-day residential treatment sessions over the next 18 months, allowing for 16 to 20 participants in each session. He stated that no new employees would be hired by the Juvenile Probation Department to man the program, but that personal services contracts would be entered into for outside professionals to teach the program. The program will also include an aftercare component.

The Board approved the contract for signature.

MISCELLANEOUS ITEMS.

- A. JoAnn Angevine, Human Services Coordinator, explained that, after the Board signed Form Amendment #2200-73630(2), she made the discovery that the amendment listed Children's Enhancement funds for 1989 through 1991, which Skagit County is not utilizing this biennium.

Commissioner Vaux motioned to approve the amendments to the Form Amendment, as stated by Ms. Angevine. Commissioner Rohrer seconded the motion, which passed unanimously, and the Board initialed all changes made.

- B. The Board approved for signature Form Amendment #2200-73630(3) with the Department of Labor and Industries, amending sections of the Geriatric Statement of Work to provide contract language and funding for multi-disciplinary evaluations for eligible persons in Whatcom and Skagit Counties.

- C. The Board approved for signature the following Petitions for Property Tax Refunds:

- 1) Pankratz Forest, Inc., P.O. Box 58388, Tukwilla, WA 98188, in the amount of \$21.91, due to a pro rata refund. (015389)
- 2) George J. Gilbert, P.O. Box 535, Mount Vernon, WA 98273, in the amount of \$389.31, due to a senior citizen exemption. (015589)

PUBLIC WORKS DEPARTMENT - MARK SPAHR, DIRECTOR:

- 1) Discussion - Temporary Road Closures for Nookachamps Half-Marathon.

The Board was presented with a map and timetable for the annual Nookachamps Half-Marathon, and approved the following temporary road closures:

Francis Road.....10:00 a.m. to 11:00 a.m. from the intersection with  
Swan Road to the intersection with State Route 9.  
Mud Lake Road.....10:30 a.m. to 12:00 noon from the intersection with  
State Route 9 to the intersection with Swan Road.  
Swan Road.....10:30 a.m. to 12:00 noon from the intersection with

Francis Road to the intersection with Mud Lake Road.

2) Signature - Final Cost Records for Beaver Marsh Road.

This item was cancelled.

3) Signature - Resolution and Final Cost Records for Lake Cavanaugh Road.

Commissioner Rohrer motioned to adopt the resolution authorizing additional funds to finalize right-of-way acquisition, construction inspection and contract construction costs for the Lake Cavanaugh Road C.R.P. #0020-4. He further motioned to accept the Final Cost Record for the road project, at a total cost of \$503,540.92. Commissioner Vaux seconded the motion, which passed unanimously. (Resolution #12344)

4) Miscellaneous.

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

PUBLIC HEARING - AMENDMENTS TO SKAGIT COUNTY CODE CHAPTER 9.16 - POSSESSION, USE OF INTOXICATING LIQUOR.

Chairman Wylie waived the reading of the Notice of Public Hearing, as published in The Skagit Argus on December 19 and 26, 1989.

Gene Willett, Deputy - Skagit County Prosecuting Attorney's Office, explained that two to three months ago the Board made changes to Section 9.16.050 to streamline enforcement of alcohol violations. He stated that an area was overlooked regarding the penalty for these violations, and that the proposed amendments label the crimes as misdemeanors, in accordance with State laws, and assess appropriate penalties. He noted that the Skagit County penalties will be somewhat more lenient than the State code in order to avoid using the more confusing State penalties.

Seeing no further public comment, Commissioner Vaux motioned to close the public hearing, which was seconded by Commissioner Rohrer. The motion passed unanimously.

Commissioner Rohrer then motioned to adopt the ordinance amending the section on penalties for violations of the Possession, Use of Intoxicating Liquor section of the Skagit County Code, Section 9.16.050. Commissioner Vaux seconded the motion, which received unanimous approval. (Ordinance #12345)

WETLANDS SEWAGE TREATMENT UPDATE - AGHAST.

Ted Parish, AGHAST (Action Group for Healthy, Affordable Sewage Treatment) Board member, gave information on the efforts of his group to establish a regional wetlands sewage treatment facility in the western portion of Skagit County.

Mr. Parish stated that meetings were held earlier this month with Senator Jack Metcalf present to discuss their project. Mr. Parish thanked Commissioner

Vaux for his strong support of the wetlands alternative. Mr. Parish stated that at a meeting two weeks later, Department of Ecology (DOE) and Environmental Protection Agency (EPA) representatives indicated support and encouragement for regional wetlands development in western Skagit County, but said it will arrive too late for Anacortes to participate.

Mr. Parish stated that AGHAST has set a basic strategy for achievement of their goals:

- a) delay the proposed downtown Anacortes secondary sewage treatment plant in the courts.
- b) move ahead with the wetlands program as quickly as possible so that in time it will become more practical for the City of Anacortes to join the wetlands project.

Mr. Parish stated that in furthering their goals, the AGHAST group has filed a lawsuit against the proposed downtown Anacortes plant, alleging an insufficiency in the addressing of sludge disposal. AGHAST also plans to make attempts to block the issuance of an incinerator permit at the Northwest Air Pollution Authority meeting on January 16.

Mr. Parish voiced the group's fears that funds used toward the construction of a secondary sewage plant would cripple the chances of funding a wetlands project. He encouraged the Board to take steps towards the furtherance of AGHAST's goals.

Clee Richardson, also an AGHAST member, provided a packet of information for each Board member. He recommended the Board take action by forming an advisory group to discuss sewage disposal on a county-wide level.

Dave Ford, Engineer - City of Anacortes, declined to comment based on the lawsuit filed by AGHAST.

John Reed, an AGHAST member, supported use of funds earmarked for the secondary sewage solution for wetlands sewage management.

Mr. Richardson, Mr. Parish and Commissioner Vaux discussed the public service that would be provided by a wetlands system, the possibility of an advisory vote, and the disposal of sewage sludge generated by the system.

Commissioner Vaux asked what, specifically, the group is asking of the Board.

The groups suggestions were to encourage DOE, through contact with Senator Gorton and Representative Swift, to "back off" long enough to develop a wetlands system; help support an advisory vote on the sewage system; and establish a citizen's advisory committee to facilitate sewage system development, or at least to show some movement toward that end to support the lawsuit filed by AGHAST.

The Board agreed to consider the requests made by the AGHAST group.

MISCELLANEOUS ITEMS.

- A. The Board approved for signature an agreement with Snohomish County for trading of work with Skagit County, to include minor street projects, such as snow removal, which total \$2,000 or less for any single project. The agreement terminates on December 31, 1995.
- B. The Board approved for signature Estimates of Cost for flood control projects as follows:
- 1) Larrabee State Park - Clean culvert outlet for a total of \$632.20. The work will be performed by Skagit County forces and the cost assessed to the Washington State Parks Department.
  - 2) Whitmarsh Road - Place filter blanket and rip rap for approximately 350 feet at a cost of \$39,162.50. The work will be performed by Skagit County forces and the cost assessed to Dike District #12 and a D.O.E. FCAAP grant on an 80% - 20% basis.
- C. Mr. Spahr reported that the Department of Ecology has indicated concurrence with the issuance of the solid waste permit for the incinerator.
- D. The Board approved for signature the Closing Agreement with Summit Timber Company for purchase of property located west of Howard Miller Steelhead Park at a purchase price of \$110,350, including half of the escrow fees and \$100 in legal fees.

DISCUSSION - AGREEMENT WITH WHATCOM COUNTY REGARDING EXCHANGE OF CONFLICT CASES - PUBLIC DEFENDER'S OFFICE.

Rob Jones, Skagit County Public Defender, gave information on a reciprocal agreement between Skagit and Whatcom County for the exchange of conflict cases in unusual circumstances. He stated that a similar agreement was submitted last year, but that at the last minute, Whatcom County rejected the contract. This year, Whatcom County has submitted an agreement for Skagit County's signature.

Mr. Jones described "conflict" cases as those cases where the crime has two or more defendants who are in disagreement or conflict. Other unusual circumstances causing conflict could be when a former client has become the victim of another former client. Mr. Jones stated that it could be catastrophic to Skagit County if the Public Defender's Office should have to negotiate contracts with private attorneys for defense of people charged with particularly heinous crimes which the Public Defender's Office would be unable to handle. Mr. Jones described the agreement as a "safety net" for Skagit County, although it would create some increase in workload for the Public Defender's Office.

Mr. Jones further delineated portions of the agreement as follows:

- 1) No more than 12 referrals would be allowed of each county.
- 2) The Public Defender would make the decision on whether or not to accept a case based on his workload at the time.

- 3) The originating agency would be liable for all witness fees and court costs, not including attorney fees.
- 4) The defendant may be transferred to the jail nearest to his attorney for the convenience of the attorney.
- 5) The number of referrals must remain equal between the two counties, and the receiving agency of a conflict case may opt to refer a non-conflict case to balance his workload.
- 6) Time records will be maintained.
- 7) The agreement begins upon execution.

Mr. Jones stated that he will need to consult with Sheriff Frazier on the jail arrangements, but with the Board's approval, will proceed with finalizing the document for signature.

The Board directed Mr. Jones to proceed, but asked that they be advised when cases are accepted or referred.

MISCELLANEOUS ITEMS.

A. The following officials contracts for the Parks and Recreations Department were approved for signature. Each contract begins January 1, 1990, and continues to December 31, 1990, and is reimbursed at current Parks and Recreations Department officials rates:

- 1) Paul Klementson
- 2) Mark Shamp
- 3) Sam Monroe
- 4) Bill Mersereau
- 5) Mike Gubrud
- 6) Rick Byrum
- 7) Jack Malcolm
- 8) Drew Fleshman
- 9) Indira Rouw
- 10) Tim Crosby
- 11) Lauchlin McKinnon
- 12) Robert Hancock
- 13) Greg Poling
- 14) R. Mark Fabello
- 15) Paul Wingert
- 16) Kory Austin
- 17) Clyde Woullard, III
- 18) Mark Dynes
- 19) John Rickert
- 20) Tom Kingshott
- 21) Chris Bruntz
- 22) Alan Williams
- 23) Tony Crosby
- 24) Steve Chandler
- 25) Jerry Engelhart
- 26) Peter Stephens
- 27) Guy Clements
- 28) Shawn Jellison

B. As of this date, January 2, 1990, the Board, by unanimous approval, did approve for signature the following warrants and vouchers:

- 1) Warrants #62485 through #62568 (Vouchers #62485 through #62586) in the amount of \$65,718.70 (R-34-89).
- 2) Warrants #70001 through #70013 (Vouchers #70001 through #70013) in the amount of \$22,905.58 (R-1-90).
- 3) Manual Warrant #MW50913 in the amount of \$4,000 (C-2-90).
- 4) Warrants #20929 through #21448 (Vouchers #890310 through #890342) in the amount of \$752,964.16 (P-16-89).
- 5) Warrants #78664 through #78804 (Vouchers #78664 through #78804) in the amount of \$261,560.16 (PR-24-89).
- 6) Warrants #50600 through #50912 (Vouchers #913098 through #913069) in the amount of \$142,277.77 (C-1-90).

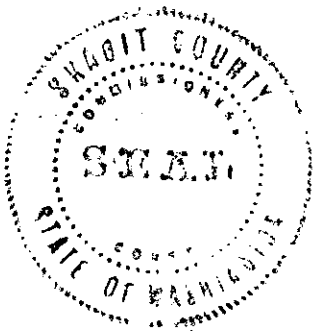
C. The Board approved for signature a Contract for Professional Services with Macaulay and Associates, Ltd., of Everett for appraisal of lands and buildings to determine market value of property at the Northern State Hospital grounds, in association with a subcontract to Robert Welch and Associates for a hazardous waste or conditions survey and M&D Services for a removal and demolition cost estimate. The contract will reimburse Macaulay and Associates a total of \$9,750.


D. As a final order of business, Commissioner Rohrer nominated Commissioner Vaux as vice-chairman of the Board of Skagit County Commissioners. Chairman Wylie seconded the nomination, which received a unanimous vote of approval.

ADJOURNMENT

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

BOARD OF COUNTY COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON




  
Ruth Wylie, Chairman

  
W. W. Vaux, Commissioner

  
Dave Rohrer, Commissioner

ATTEST:

  
Stephanie Wood, Clerk  
Skagit County Board of Commissioners