

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

Monday, June 11, 1990

10:00 a.m. - 11:30 a.m. Public Works Department - Mark Spahr, Director:

- 1) Introduction of Recycling Coordinator.
- 2) Call for Bids - New Propulsion Units for Guemes Ferry.
- 3) Call for Bids - Rental Equipment - Rotomilling Machinery and Other Miscellaneous Equipment for Use in Cold Process Renovating of Roadways.
- 4) Miscellaneous.

CONSENT AGENDA.

MISCELLANEOUS ITEMS.

1:30 p.m. - 2:00 p.m. County Clerk's Office:

- 1) Activities Update.
- 2) Update - Legislative Decisions Affecting County Clerk's Office.

2:00 p.m. - 2:45 p.m. Public Meeting - Real Estate Excise Tax.

3:00 p.m. - 3:30 p.m. Parks and Recreation Department:

- 1) Discussion - Bid for Clear Lake Park Septic System.
- 2) Discussion - Young's Park.

The Skagit County Board of Commissioners met in regular session on Monday, June 11, 1990, with Commissioners Ruth Wylie, W. W. Vaux, and Dave Rohrer present.

PUBLIC WORKS DEPARTMENT - MARK SPAHR, DIRECTOR:

- 1) Introduction of Recycling Coordinator.

Jeff Monsen, Assistant Public Works Department Director, introduced to the Board Ric Boge, who has been hired as the County's new recycling coordinator, due to the resignation of Rebecca Voerman.

- 2) Call for Bids - New Propulsion Units for Guemes Ferry.

Mr. Spahr explained that on Saturday morning, June 9, a cam shaft broke on the Guemes Ferry, and another vessel had to be chartered to provide ferry service. Mr. Spahr praised the County maintenance shop and ferry crew for their quick action and perseverance in completing repairs on the vessel in a timely fashion.

Mr. Spahr submitted a resolution calling for bids for new propulsion units for the Guemes Ferry, stating that, in addition to Saturday's failure, the current propulsion units had practically obsolete outdrives, the engines are old and have been frequently rebuilt, and there have been frequent incidents of loss of steerage.

The Board discussed with Mr. Spahr and Charlie Tewalt, Operations Superintendent, the timeline for engine replacement, as well as the number of bidders expected to respond to the call.

Commissioner Vaux then motioned to adopt the resolution calling for bids to be opened on June 26, 1990, at 1:30 p.m., for a new propulsion unit for the Guemes Ferry. Commissioner Rohrer seconded the motion, which passed unanimously. (Resolution #12528)

3) Call for Bids - Rental Equipment - Rotomilling Machinery and Other Miscellaneous Equipment for Use in Cold Process Renovating of Roadways.

Commissioner Vaux motioned to adopt the resolution calling for bids for the rental of in-place recycling equipment and other miscellaneous equipment for use in cold process renovating of roadways. Commissioner Rohrer seconded the motion, which passed unanimously. (Resolution #12529)

4) Miscellaneous.

Mr. Spahr explained that within the County's incinerator, prior to the point where the hot gases enter the combustion chamber, a burner should have been installed. He explained why a decision was made to omit the burner, but stated that, while the burner is unnecessary, a hole was left where it should have been installed, and this hole causes a draft which is responsible for some decrease in combustion chamber efficiency. He stated that during recent maintenance, the hole which would have housed the burner was blocked, and that the plant is expected to produce 15% more steam as a result. He stated that a second combustion chamber, which also has a hole where a post-combustion burner would have been installed, will be repaired in the future.

Mr. Spahr also explained that during a routine measurement of gases on both sides of the incinerator bag house, fairly substantial differences in pressure were obtained. This usually indicates a need to clear the bags of build up. When line #2 was taken down for maintenance, a problem was discovered with the indicator, which was rectified, and ash build up was removed. Mr. Spahr stated that an incidental finding during the maintenance of the bag house was that the bags are still in good repair after two years of use, and will not need replacement, as was earlier anticipated.

CONSENT AGENDA:

Commissioner Vaux motioned to adopt the Consent Agenda of June 11, 1990. Commissioner Rohrer seconded the motion, which passed unanimously.

* Public Works Department:

1. Signature - Ordinance establishing a speed limit reduction on Dalles/Grassmere Road to 25 m.p.h. (Resolution #12530)
2. Resolution - Bid Award - Chilberg Road Reconstruction Project: Associated Sand and Gravel for \$445,849.30 (low bid) (Resolution #12531)
3. Resolution - Update C.R.P. Chilberg Road - Revision #2: Construction funds of \$510,849.30. (Resolution #12532)

* Petitions for Property Tax Refunds:

4. Myron Thomas, et al, 5515-257th St. N.E., Arlington, WA 98223, in the amount of \$136.59, due to a manifest error. (005690)
5. Lorena Poppe, 129 W. Rio Vista, Burlington, WA 98233, in the amount of \$156.83, due to a senior citizen exemption. (004990)

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6. E. Duane Bergstrom, 2245 Wicker Road #9, Sedro Woolley, WA 98284, in the amount of \$87.75, due to a senior citizen exemption. (004390)
 7. American Legion, 505 Central Street, Sedro Woolley, WA 98284, in the amount of \$222.18, due to a tax exemption. (004290)
 8. Washington Federal, 425 Pike Street, Seattle, WA 98101, in the amount of \$217.62, due to a payment on the wrong account. (005790)
 9. Hermelinda Rodriguez, 709 South Pine, Burlington, WA 98233, in the amount of \$523.34, due to a senior citizen exemption. (005990)
 10. Juan Silva, 500 West State, Sedro Woolley, WA 98284, in the amount of \$713.00, due to a senior citizen exemption. (005890)
- * Skagit County Health Department:
11. Signature - Form Amendment #1620-78062(2) to DSHS Parent Child Health Services Contract: Addition of \$220 to Children with Special Health Care Needs program for travel to Statewide coordinator's meeting. (Contract #00201)
- * Skagit County Parks and Recreation Department:
12. Signature - Interagency Agreement #20-011544 with Department of Natural Resources for use without fee of a tract of State-owned land for a boat launch site at Conway Park. (Contract #00315)
- * Skagit County Fair:
13. Commercial Displays and Vendors Contracts: (All contracts run from August 8 to August 12, 1990)
 - a) Shutt Industries - \$220 for space in the commercial building. (vendor - rainbow vacuum sales) (Contract #00314)
 - b) Web Novelty - \$159.50 for space outside. (vendor of novelty items - flags, banners, etc.) (Contract #00313)
 - c) Encyclopedia Britannica - \$220 for space in the commercial building. (encyclopedia sales and information) (Contract #00312)
 14. Concessionaires Contracts: (All contracts run from August 8 to August 12, 1990)
 - a) Delrae Tropic Distributing - \$50 Concessionaires charge plus a guarantee of \$100 or 15% of total gross receipts, whichever is greater. (frozen fruit bars) (Contract #00311)
 - b) Spiral French Fries - \$50 Concessionaires charge plus a guarantee of \$100 or 15% of total gross receipts, whichever is greater. (deep fried foods) (Contract #00309)
 - c) Big D's Concessions - \$50 Concessionaires charge plus a guarantee of \$100 or 15% of total gross receipts, whichever is greater. (Polish and German sausage, chicken, salad) (Contract #00310)
- * Human Services Department:
15. Signature - Amendment to Substances Abuse Contract #1440-74190(4) with DSHS - one line change for the State Pregnant Women's Grant in Aid for the biennium 1989-91. Amount of award increased from \$15,072.00 to \$30,144.00. (Contract #00015)

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* District Court Probation:

16. Signature - Probation Services Agreement with the City of Burlington. Payment of \$2,000 for probation services from 01/01/90 through 12/31/90. Maximum of 25 case units. (Contract #00306)

* Juvenile Probation Department:

17. Signature - Contract for Professional Services with Skagit County Council on Alcoholism. Provision of a chemical dependency counselor to teach a monthly substance abuse information class for the County's Diversion Program beginning May 2, 1990, at rate of \$75.00 per class. Continues until terminated. (Contract #00308)

* Assigned Counsel:

18. Signature - Contract for Professional Services with Skelton and Tims, attorneys, for provision of legal services for Superior and Juvenile Court conflict cases. Compensation occurs at current County rates. Terminates on 12/31/90. (Contract #00307)

* Board of County Commissioners:

19. Record of the Proceedings of June 4, 1990.
20. Record of the Proceedings of June 5, 1990.

MISCELLANEOUS ITEMS.

- A. Commissioner Vaux motioned to adopt the resolution providing an administrative variance for Laurence Lorenzen to construct a residence outside of the front setback of 150 feet for Agriculture zoned land at 1341 Pulver Road. Commissioner Rohrer seconded the motion, which passed unanimously. (Resolution #12533)

Commissioner Vaux's absence was excused for the following items.

- B. Commissioner Rohrer motioned to adopt the resolution calling for bids for furnishing of catered meals to senior citizens for delivery to appropriate nutrition sites for the period of January 1, 1991, through December 31, 1991. Chairman Wylie seconded the motion, which carried and was so ordered. (Resolution #12534)
- C. Bob Heitsma of TCI Cablevision in Burlington, gave a brief summary of his company's new rate service to customers in Skagit County.

Commissioner Vaux was in attendance for the following items:

COUNTY CLERK'S OFFICE:

1) Activities Update.

Phyllis Coole-McKeehen, Skagit County Clerk, updated the Board on the activities of her office. She explained that her clerks are now required to do monthly billings on all criminal cases. She stated that the State has installed a modem that links the Clerk's Office with State offices for regular down loading of billing information to the State Department of Corrections computers.

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Ms. Coole-McKeehen stated that her department is now over budget in three categories of criminal cases.

Ms. Coole-McKeehen stated that starting in July, criminal cases will require double data entry. She stated that 1989 was the largest year for case filings, and that there has been a 21% increase so far this year.

2) Update - Legislative Decisions Affecting County Clerk's Office.

Ms. Coole-McKeehen reviewed the following legislative changes and how they effect her office:

- Guardianship statutes changes will require additional monitoring.
- Mandatory shelter hearings will require increased clerk time.
- Penalties for child pornography.
- Closed circuit television interviews.
- Changes in statutes pertaining to child support with increase the number of filings and use of the Clerk's Office copier.
- Changes in adoption statutes.
- Increased requirements for court interpreters.
- "At risk youth" petitions.

PUBLIC MEETING - REAL ESTATE EXCISE TAX.

Chairman Wylie requested that Mike Woodmansee, Budget/Finance Director, review the work session of two weeks ago regarding real estate excise taxes.

Mr. Woodmansee stated that the discussion at the work session centered around how a real estate excise tax could be imposed and how the funds from a tax could be used. Mr. Woodmansee explained that the County was given the option of imposing a .25% real estate excise tax in 1982 that could be used for an capital or infrastructure oriented improvement. The County has resisted the imposition of this tax. He stated that the proceeds from the tax could not be combined with other funds, but would stand alone as a fund itself. He stated that imposition of the tax is not subject to any referendum process, and that the tax proceeds and interest earned would be considered for use during the County's budget process. He stated that the tax can be imposed by order of the Board of County Commissioners, and goes into effect five days following their decision to impose the tax. Mr. Woodmansee stated that Skagit County Code Chapter 3.12 pertains to the present real estate excise tax. Mr. Woodmansee stated that it has been proposed that, should this tax be imposed, Skagit County would allocate the funds as needs arise. He stated that he is reluctant to advise that the funds be committed to any specific project at this time.

Answering questions from the Board, Mr. Woodmansee stated that the funds can be used for construction of buildings and sewer or public utility lines. He stated that the incorporated areas presently have this tax.

Anacortes Mayor Jim Rice stated that their tax generated about \$130,000 last year. Mount Vernon Mayor Ray Reep indicated that \$80,000 was generated for the City of Mount Vernon last year. Both mayors indicated that their tax proceeds are specifically identified for sewer treatment plant expansion.

Mr. Woodmansee pointed out that the tax funds could also be used to complement house bill 2929 development funds.

Mr. Woodmansee answered questions from Don Bockelman, a Day Creek citizen, stating that it is estimated that \$750,000 might have been realized last year if

the tax had been in place, according to the Skagit County Treasurer's report, but this included two very large real estate sales. Mr. Woodmansee estimated 2.5 to 5 million in proceeds over a 10 year period.

Paula Hawkins, representing the Skagit County Board of Realtors, stated that the position of the Board of Realtors is to oppose all real estate excise taxes. She stated, however, that if the tax is put in place, the Board would prefer that fund expenditures relate to uses which would encourage further development via sewer and water service expansion.

Discussion ensued on how the funds would be designated. Mr. Woodmansee advised that if the Board decides to earmark the funds now, it would constrain their options for expenditures at a future date. He suggested a special meeting at budget time to discuss uses of the tax.

Jones Atterbury, a Skagit County realtor, stated that he does not like raising taxes without knowing what it is for. He did not think the tax should be used for "bike trails" or new County buildings. He felt increased real estate excise taxes would slow down growth.

Chairman Wylie remarked that the County has had to commit resources that are allotted to other funds to support departments that are impacted by the growth in real estate sales.

Pat Lewis, Skagit County realtor, stated that he is not opposed to imposing the tax if, as discussed earlier, it will cause the County to be eligible for grants not previously available when the tax was not in place.

Mayor Rice pointed out that Public Trust Fund monies can only be obtained when the tax is in place.

Paula Hawkins reiterated her earlier statements.

Commissioner Vaux suggested that the tax fund could be administered like dike and drainage funds are; by recommendation of a committee. He also suggested that the fund could be a source of matching fund monies with the cities for Urban Growth Boundaries development.

Discussion ensued on the make up of a committee to consider distribution of the fund.

Don Bockelman suggested a seven year sunset clause on the ordinance to keep the tax fund from growing too large.

After continued discussion on a committee, Commissioner Vaux motioned to direct Mr. Woodmansee to draft an ordinance for the Board's consideration and prepare for a public hearing on July 2, 1990, at 1:30 p.m., to consider enactment of such an ordinance. He stated that at the public hearing, the Board would entertain the notion of an advisory committee. Commissioner Rohrer seconded the motion, which passed unanimously.

Chairman Wylie read a letter from the Mayors of the Cities of Anacortes, Mount Vernon, Sedro Woolley, Burlington and LaConner, requesting that the County place a measure on the November ballot asking voter approval of a 1% real estate excise tax to be used to maintain conservation areas. Chairman Wylie stated that King and San Juan Counties have also asked the Board to consider a similar request.

Mr. Bockelman suggested that the law states that up to 1% can be imposed. Members of the Board and audience had no information regarding this. Mr.

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Bockelman agreed that the voters should have the opportunity to consider this measure.

Paula Hawkins related that a survey by Continental Mortgage indicates that 48% of VA and FHA buyers would not have been able to purchase the homes they bought if a 1% real estate excise tax had been in effect at the time of their purchase. She stated that the same is true for 42% of all buyers, the study shows.

Discussion ensued on the projected income from the tax. Members of the audience argued for and against the measure, and Chairman Wylie declared that the discussion would be continued to another time.

PARKS AND RECREATION DEPARTMENT, JON AARSTAD, DIRECTOR:

1) Discussion - Bid for Clear Lake Park Septic System.

Mr. Aarstad stated that no bids were received for installation of a septic system at the Clear Lake swimming park. He did admit that he sent bid announcements only to Dean Bannister, the Skagit Argus and a Whatcom County bid reporter.

After discussion, the Board directed Mr. Aarstad to go out for bids again, but to direct announcements to a wider mailing this time.

Mr. Aarstad agreed, but indicated his intention to request the Board to evoke an emergency clause if none are received that would allow him to be the contractor for the system.

2) Discussion - Young's Park.

Mr. Aarstad explained that Washington Wildlife Recreation and Coalition funds in the amount of \$50,000 in matching funds have been offered for the purchase of tidelands adjacent to Youngs Park, which are owned by the Partington family. The Partingtons are not willing to sell their property, but are amenable to a trade of the tidelands for a 30 foot buffer zone. Mr. Aarstad stated that he does not feel the tidelands are worth 30 feet of the Park, and requested permission for an appraisal.

Mr. Aarstad stated that a Leo Kent would also like to sell some adjacent property which Mr. Aarstad would like appraised. He stated that this could be a substitute for the WWRC funds instead of the Partington purchase. He stated that there is 20 acres total in the Kent property.

Commissioner Vaux was not supportive of the Kent property purchase. Mr. Aarstad indicated that the matching funds could not be used for anything but land acquisitions. Improvements such as the installation of campsites could not be considered.

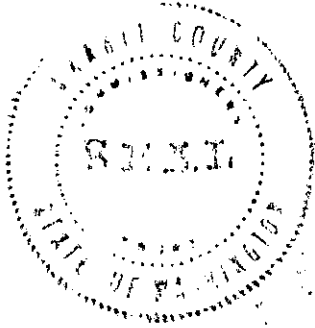
Mr. Woodmansee suggested that the money the County would have used to match the WWRC grant could be used for development of campsites.

The Board agreed that they would rather trade land for the tidelands and use the Counties share of the matching monies for development of campsites.

ADJOURNMENT:

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

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON



Ruth Wylie
Ruth Wylie, Chairman

W. W. Vaux, Commissioner
Dave Rohrer, Commissioner

ATTEST:

Stephanie Wood
Stephanie Wood, Clerk
Skagit County Board of Commissioners