

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS

Monday, August 6, 1990

- 10:00 a.m. - 11:30 a.m. Public Works Department - Mark Spahr, Director:
- 1) Public Hearing - Vacation of County Right-of-Way - Dawn Addition in Plat of Fidalgo City.
 - 2) Public Hearing - Vacation of County Right-of-Way - Minnie Street in Plat of Bow.
 - 3) Bid Award Recommendation - Scheduled 18-Month Periodic Maintenance of Ferry Guemes.
 - 4) Call for Bids - One New Latest Model Motor Grader.
 - 5) Call for Bids - One New Valveless Drifter Rock Drill.
 - 6) Update - Incinerator Operations.
 - 7) Miscellaneous.
- 11:30 a.m. - 11:45 a.m.
- 1) Call for Public Hearing - Amendments to Portions of Skagit County Code Chapter 7.06 Relating to Dangerous Dogs.
 - 2) Call for Public Hearing - Amendments to Portions of Skagit County Code Chapter 9.16 Relating to Use of Intoxicating Liquor.
- CONSENT AGENDA.
- MISCELLANEOUS ITEMS.
- 1:30 p.m. - 2:30 p.m. Presentation - Thunder Creek Basin Study - Department of Natural Resources.
- 2:30 p.m. - 3:30 p.m. Public Hearing - Ordinance Imposing Civil Filing Fees on District Court Filings to Support a Dispute Resolution Center.

The Skagit County Board of Commissioners met in regular session on Monday, August 6, 1990, with Commissioners Ruth Wylie, W. W. Vaux and Dave Rohrer present.

PUBLIC WORKS DEPARTMENT - MARK SPAHR, DIRECTOR:

- 1) Public Hearing - Vacation of County Right-of-Way - Dawn Addition in Plat of Fidalgo City.

Chairman Wylie waived the reading of the Notice of Public Hearing, as published in The Skagit Argus on July 17 and 24, 1990.

Jeff Monsen, Assistant Public Works Department Director, pointed out Lincoln Street, which is located in the Dawn Addition to the Plat of Fidalgo City, on a vicinity map. He stated that the applicant has requested that a portion of the west 25 feet of Lincoln Street running parallel along the east side of Lot 13 in Block 137 between Bayview and Fourth Streets be vacated to him so that he will have enough setback from his property line in order to build a garage. The applicant has indicated that he is willing to trade this property for a portion of his land that Fourth Street has encroached upon. Mr. Silver is willing to deed this property to the County, if the County will vacate the property named in his request. The requested property vacation is valued at \$495.00 (\$0.12 per square foot), and the value of the Fourth Street trade is \$270.00 (\$0.12 per square foot).

After discussion, Commissioner Vaux motioned to grant the vacation of the section of Lincoln Street between Fourth and Bayview Streets east of Lot 13, as requested, on the condition that the applicant deeds the portion of Fourth Street on which the County Road is situated to the County, and pays the difference in property values, as stated in the Engineer's Report. Commissioner Rohrer seconded the motion, which passed unanimously.

2) Public Hearing - Vacation of County Right-of-Way - Minnie Street in Plat of Bow.

Mr. Monsen located Minnie Street in Bow, near Cedar Street and Bow Hill Road, on a vicinity map. He stated that a petition for vacation of the road has been received from the neighboring property owners, Mr. Dave Swanson and Mr. Steve Conner.

Mr. Swanson explained that he owns property which surrounds two smaller parcels of property owned by his neighbor to the south, Mr. Conner. Minnie Street separates the Swanson and Conner properties. If the 30 foot vacation is granted, Mr. Swanson will give Mr. Conner his portion of the vacated roadway in exchange for the two smaller parcels which his property surrounds on the north side of the road.

The Engineer's Report set the two property owners' shares at \$1,339.26 for Mr. Swanson and \$2067.00 for Mr. Conner (\$0.52 per square foot). Mr. Conner pointed out that this seems an unfair price for this land.

Staff indicated that the figure \$0.52 per square foot was submitted by the Assessor, who bases his values on the current market value of adjacent properties. The Board agreed that this price must reflect the cost for land which is considered a building lot. The Board concurred that, since this land is not a building lot, the price has been fixed too high.

Commissioner Vaux motioned to approve the vacation of Minnie Street, as stated in the Engineer's Report, but with an adjustment in price to \$0.15 per square foot (approximately \$6,500 per acre). Commissioner Rohrer seconded the motion, which carried unanimously.

3) Bid Award Recommendation - Scheduled 18-Month Periodic Maintenance of Ferry Guemes.

On the recommendation of the Public Works Department, Commissioner Vaux motioned to award the bid for the scheduled 18-month periodic maintenance of the Guemes Ferry to the low bidder, Marine Industries Northwest, Inc., at the bid price of \$128,183.00. Commissioner Rohrer seconded the motion, which passed unanimously. (Resolution #12587)

4) Call for Bids - One New Latest Model Motor Grader.

Commissioner Vaux motioned to adopt the resolution calling for bids for a new latest model motor grader, to be received and opened on Tuesday, August 21, 1990, at 1:30 p.m. Commissioner Rohrer seconded the motion, which passed unanimously. (Resolution #12589)

5) Call for Bids - One New Valveless Drifter Rock Drill.

Commissioner Vaux motioned to adopt the resolution calling for bids for a new valveless drifter rock drill, to be received and opened on Tuesday, August 21, 1990, at 1:30 p.m. Commissioner Rohrer seconded the motion, which passed unanimously. (Resolution #12588)

6) Update - Incinerator Operations.

Don King, Incinerator Manager, reported that the overhaul on line number one, as with line number two, is now complete, and has resulted in a 10% to 15% increase in steam production, as expected. He discussed a boiler bottle neck.

Mr. King reported that refuse volume was up 5% over 1989 in May, 7% in June, and 14% in July.

Mr. King reported that he is now a County employee, having successfully interviewed for the position of Resource Recovery Facility Manager. Interviews will be held this week in preparation for hiring the following week for other positions.

The Board indicated that if possible, supervisors should be hired first, then allowed to be involved in the interviews of their shift's employees.

7) Miscellaneous.

- A. Mr. Monsen stated that the Auditor has requested a resolution declaring that the \$7.00 per unit appliance disposal charge will be paid for stockpiled items from April 1, 1990. Mr. Monsen stated that this is because the recycler has turned in statements billing the County for units received prior to the passage of the \$7.00 per unit charge.

The Board directed Mr. Monsen to have the recycler amend his bill to show the date the units were processed, not their collection date.

- B. Commissioner Vaux volunteered to serve on the interview committee for the choice of a consultant to draft the County's ash management plan.

CALL FOR PUBLIC HEARING - AMENDMENTS TO PORTIONS OF SKAGIT COUNTY CODE CHAPTER 7.06 RELATING TO DANGEROUS DOGS.

Commissioner Vaux motioned to call for a public hearing on Monday, August 20, 1990, at 2:00 p.m., to consider proposed amendments to portions of Chapter 7.06 of the Skagit County Code relating to dangerous dogs. Commissioner Rohrer seconded the motion, which passed unanimously. (Resolution #12590)

CALL FOR PUBLIC HEARING - AMENDMENTS TO PORTIONS OF SKAGIT COUNTY CODE CHAPTER 9.16 RELATING TO USE OF INTOXICATING LIQUOR.

Commissioner Vaux motioned to call for a public hearing on Monday, August 20, 1990, at 2:00 p.m., to consider proposed amendments to portions of Chapter 9.16 of the Skagit County Code relating to the possession and use of intoxicating liquor. Commissioner Rohrer seconded the motion, which passed unanimously. (Resolution #12591)

CONSENT AGENDA.

Commissioner Vaux motioned to adopt the Consent Agenda of Monday, August 6, 1990, as submitted. Commissioner Rohrer seconded the motion. The motion passed unanimously.

* Petitions for Property Tax Refunds:

1. Continental, Inc. (A/O James E. Forbes), 8th Floor Pacific Bldg., Seattle, WA 98104, in the amount of \$133.11, due to a manifest error. (008390)

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2. Gordon E. Sandvik, 952 District Line Road, Burlington, WA 98233, in the amount of \$926.77, due to a senior citizen exemption. (008890)
 3. Harry Skaarup, 377 Skaarup Road, Sedro Woolley, WA 98284, in the amount of \$155.62, due to a senior citizen exemption. (009090)
- * Planning Department:
4. Concomitant Agreement for Schenk Packing Company by William Lenz for property located at 1757 Cedardale Road in Mount Vernon. (Contract #00465)
- * Assigned Counsel:
5. Contract for Professional Services with Jim Cleland to provide professional legal services in Superior and Juvenile Court conflict cases. Contract terminates December 31, 1990. (Contract #00467)
- * Facilities Management:
6. Lease Agreement with Skagit County Rape Relief and Battered Women Services for County building at 103 Broadway, Mount Vernon. Contract expires on June 30, 1990. Lease rental sum: \$1.00 per year. (Contract #00466)
- * Board of Commissioners:
7. Record of the Proceedings of July 30, 1990.
 8. Record of the Proceedings of July 31, 1990.

MISCELLANEOUS ITEMS.

- A. Commissioner Vaux motioned to adopt the resolution calling for a public hearing to consider the authorization of a supplemental budget for the County Fair Fund #106 to account for additional grant funds and donations received for the 1990 Skagit County Fair. Commissioner Rohrer seconded the motion, which passed unanimously. (Resolution #12592)
- B. Vouchers audited and certified by the auditing officer as required by R.C.W. 42.24.080, and those expense reimbursement claims certified as required by R.C.W. 42.24.090, have been recorded on a listing which has been made available to the Board.

As of this date, August 6, 1990, the Board, by a majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

- 1) Warrants #80231 through #80390 (Vouchers #80231 through #80390) in the amount of \$312,751.59. PR-14-90
- 2) Warrants #5167 through #5731 (Vouchers #3400 through #4000) in the amount of \$881,095.91. P-16-90

PRESENTATION - THUNDER CREEK BASIN STUDY - DEPARTMENT OF NATURAL RESOURCES.

John Osborn, Bayview District Manager with DNR, gave the presentation. He distributed copies of the study to each Board member.

Mr. Osborn stated that the study was conducted as a result of the Mill Creek disaster of 1983-84. He gave a history of other studies conducted on alluvial fan areas, and stated that in 1986 it was recognized that a study should be conducted to analyze a basin situation and what results are felt downstream by land management practices upstream. Crown Pacific and Georgia Pacific Corporations were involved in the study. The Thunder Creek Basin was chosen because it is one mile south of Mills Creek and has similarities to Mills Creek. Although this is not the only study of its kind, it is perhaps the most comprehensive. It provides information for the DNR, for logging companies, for the County and for the public. The author of the study, Jerry Forson, a geologist was assisted by two hydrologists and one soil specialist.

The Thunder Creek Basin is located six miles north of Sedro Woolley off of Highway 9 near Hathaway Road. The study finds that there are a number of improvements contained within the Thunder Creek Basin, including homes, State and local roads and highway, power lines and other utility lines.

Mr. Osborn reviewed the topography and geology of the basin. He located, using overhead transparencies, the most critical areas. He discussed road management and construction as they pertain to areas contained in unstable creek basins. The recommendations for management of the area were reviewed, as well as the conclusions of the study. The study concludes that debris avalanches potentially capable of triggering a debris torrent have occurred in Thunder Creek Basin and will probably occur again. Although it would be unlikely that any of these debris torrents would reach residences located in the basin, it is likely that channel blockages downstream may cause flooding to residences on the flood plain or fan apex. The study recommends that road management practices and harvesting practices minimize soil disturbance. Location, maintenance and abandonment of roads is addressed to the extent it will minimize chances of road-related avalanches. New residential development, the study recommends, should be discouraged in the flood plain/fan apex upstream from the railroad tracks.

Dave Chamberlain of Georgia Pacific discussed his company's plans for timber harvesting in the Thunder Creek Basin over the next five years. He stated that there are no definitive plans to harvest any timber. Georgia Pacific has, however, inventoried the timber of harvestable age within the study area. Mr. Chamberlain stated that Georgia Pacific is very aware of the dangers of forest practices in this area, and intends to use the study report as a valuable tool in decisions relating to timber harvesting and road construction. Additionally, he encouraged the County to control building on alluvial fan areas, as it does on the flood plain, and to eliminate home construction in the commercial forestry zone.

Norm Schaaf of Crown Pacific reviewed the areas where his firm will be operating in the next five years in the Thunder Creek Basin. He urged the Board to recognize the responsibilities of the downstream owners to guard against flood damage, and also encouraged restrictions on building in the alluvial fan area and forest.

PUBLIC HEARING - ORDINANCE IMPOSING CIVIL FILING FEES ON DISTRICT COURT FILINGS TO SUPPORT A DISPUTE RESOLUTION CENTER.

Chairman Wylie waived the reading of the Notice of Public Hearing, as published in The Skagit Argus on July 24 and 31, 1990.

Mike Woodmansee, Budget/Finance Director, reviewed the events leading up to the public hearing. He stated that an ordinance will be submitted for the Board's consideration at the close of the public hearing which will impose a \$10.00 filing fee surcharge on each civil filing fee in District Court, and a fifteen dollar filing fee surcharge on each filing fee for small claims actions to

support dispute resolution centers. Mr. Woodmansee related that the only recognized dispute resolution center presently operating in Skagit County is CommonGround, the group that made the request that this surcharge be imposed to partially fund their yearly budget. Mr. Woodmansee stated that the surcharge will generate approximately \$25,000 per year, and that although CommonGround originally figured a 1991 budget of \$100,000, recent budget revisions have changed that estimate. He invited Martha Day to discuss the budget.

Martha Day, Acting Program Director for CommonGround, stated that all of the surcharge would go to fund personnel. CommonGround is planning to hire a .5 FTE director and a .6 FTE service coordinator this year. Both positions will move up to full time next year.

Mr. Woodmansee stated that he has recommended that the ordinance go into effect on September 1, 1990, and in the mean time, a contract can be negotiated with CommonGround for acceptance and accounting for the grant.

Dick Crowell, director of the Snohomish County dispute resolution center, described the Snohomish County program and gave statements supportive of dispute resolution centers.

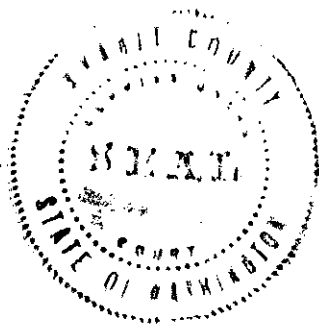
There being no further public comment, Commissioner Rohrer motioned to close the public hearing. Commissioner Vaux seconded the motion, which carried unanimously.

Commissioner Vaux then motioned to adopt the ordinance imposing a civil filing fee of \$10.00 per case on civil filings and \$15.00 on small claims actions, and adding language to the Skagit County Code Chapter 3.24 as indicated in the ordinance. Commissioner Rohrer seconded the motion. The motion passed unanimously. (Ordinance #12593)

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

W. W. Vaux, Commissioner

Dave Rohrer

Dave Rohrer, Commissioner

ATTEST:
Stephanie Wood

Stephanie Wood, Clerk
Skagit County Board of Commissioners