

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

Monday, January 14, 1991

9:45 a.m. - 10:00 a.m.

- 1) Resolution - 1991 Non-Union Salaries.
- 2) Resolution - Juvenile Probation Personnel Issues.
- 3) Signature - Public Works AFSCME Union Contract.
- 4) Signature - District Court AFSCME Union Contract.

10:00 a.m. - 11:30 p.m.

Public Works Department - Mark Spahr, Director:

- 1) Presentation - Recycler of the Month Award - Skagit Valley Hospital.
- 2) Presentation - Traffic Safety Poster - Gene Peterson, Director, Washington Traffic Safety Commission.
- 3) Signature - Supplement #3 to Litter Control/Recycling Agreement with Chiriook Enterprises
- 4) Signature - Supplement #1 to Consultant Services Agreement for Incinerator Ash Management with Economic Engineering Services, Incorporated.
- 5) Call for Public Hearing- Road Name Change - Parkwood Place/Road to Richards Place/Road.
- 6) Call for Public Hearing - Correction/Clarification of Previous Vacation of County Right-of-Way on Andis Road.
- 7) Call for Bids - Purchase of New 6,000-lb Capacity Forklift.
- 8) Call for Bids - Purchase of New Rock Bucket.
- 9) Call for Bids - New Vehicles:
 - a) 3 new 1991 half-ton pick up trucks
 - b) 1 new 1991 one-ton cab and chassis
 - c) 1 new 1991 suburban-type vehicle
 - d) 2 new small sedans
- 10) Call for Bids - Purchase of Loader Tires.
- 11) Establishment of C.R.P.'s: a) Bayview-Edison Road, b) Chilberg Road.
- 12) Discussion - Gibraltar Road Slide/Geo Engineers Proposal.
- 13) Miscellaneous.

CONSENT AGENDA.

MISCELLANEOUS ITEMS.

1:30 p.m. - 2:30 p.m.

Parks and Recreation Department - Jon Aarstad, Director:

- 1) Discussion - Snohomish County Railroad Trail - Similarities to Skagit County.
- 2) Signature - IAC Grant for Railroad Hiking/Biking Trail.
- 3) Call for Bids - Tractor for Parks Department.
- 4) Signature - Offer to Purchase Property.
- 5) Discussion - Subdivision Agreement.

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The Skagit County Board of Commissioners met in regular session on Monday, January 14, 1991, with Commissioners W. W. Vaux, Ruth Wylie, and Robby Robinson present.

RESOLUTION - 1991 NON-UNION SALARIES.

Commissioner Wylie motioned to adopt the resolution establishing 1991 salary increase and health and welfare benefit levels for non-union employees of Skagit County, as recommended by Bob Taylor, Administrative Officer. Commissioner Robinson seconded the motion, which passed unanimously. (Resolution # 12788)

RESOLUTION - JUVENILE PROBATION PERSONNEL ISSUES.

Commissioner Robinson motioned to adopt the resolution extending shift differential benefits and holiday benefits to employees of the Juvenile Probation Department who have decertified from their union, thereby making changes to the Skagit County Personnel Policies and Procedures Manual Sections #5 and #6. Commissioner Wylie seconded the motion, which passed unanimously. (Resolution # 12789)

SIGNATURE - PUBLIC WORKS AFSCME UNION CONTRACT.

In accordance with agreements negotiated by Bob Taylor, Administrative Officer and representative of the Board in union negotiations, the Board approved for signature a labor agreement between Skagit County and the Skagit County Public Works Department Local 176, Council #2, AFSCME. (Contract #00802)

SIGNATURE - DISTRICT COURT AFSCME UNION CONTRACT.

In accordance with agreements negotiated by Bob Taylor, Administrative Officer and representative of the Board in union negotiations, the Board approved for signature a letter of understanding between Skagit County and the Skagit County District Court Local 176, Council #2, AFSCME, which amends Article IV - Health and Welfare, Section A, and Article XI - Wage Increase, of the current Collective Bargaining Agreement. (Contract #00450)

PUBLIC WORKS DEPARTMENT - MARK SPAHR, DIRECTOR:

1) Presentation - Recycler of the Month Award - Skagit Valley Hospital.

The Recycler of the Month Award was issued to Skagit Valley Hospital. Linda Wright represented the Hospital to accept the award.

2) Presentation - Traffic Safety Poster - Gene Peterson, Director, Washington Traffic Safety Commission.

A poster depicting a scene from Skagit County's old, unused jail, was presented to the Board of Commissioners. The poster is being used in a nation-wide anti-drunk driving campaign sponsored by Caterpillar Trucking and Equipment, and is targeting the truck driving industry.

3) Signature - Supplement #3 to Litter Control/Recycling Agreement with Chinook Enterprises.

The Board unanimously approved for signature, on motion from Commissioner Wylie and second by Commissioner Robinson, Supplement #3 to the litter control/recycling agreement with Chinook Enterprises, adding authorization for Chinook Enterprises to perform general litter pick up around the County's Resource Recovery Facility, and increasing mileage reimbursement to \$0.25 per mile. Chinook Enterprises employs

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developmentally disabled adults. (Contract #00126)

- 4) Signature - Supplement #1 to Consultant Services Agreement for Incinerator Ash Management with Economic Engineering Services, Incorporated.

The Board unanimously approved for signature, on motion from Commissioner Wylie and second by Commissioner Robinson, Supplement #1 to the incinerator ash management consultation agreement with Economic Engineering Service, Inc. The Supplement authorizes an expanded scope of work to include project management, regulatory coordination, preparation of ash management plan, preparation of permit application for ash monofill, and SEPA threshold determination, and brings the total contract amount to \$139,525.00. (Contract #00733)

- 5) Call for Public Hearing - Road Name Change - Parkwood Place/Road to Richards Place/Road.

Commissioner Wylie motioned to call for a public hearing on Monday, January 28, 1991, at 10:00 a.m., to consider a road name change for Parkwood Road and Parkwood Lane, which have long been known as Richards Road and Richards Lane, but have not been listed as such in County road records. Commissioner Robinson seconded the motion, which passed unanimously. (Resolution # 12790)

- 6) Call for Public Hearing - Correction/Clarification of Previous Vacation of County Right-of-Way on Andis Road.

Commissioner Wylie motioned to call for a public hearing on Monday, February 4, 1991, at 10:00 a.m., to consider the correction of a previous vacation of County right-of-way known as a State turnback near Andis Road, which was vacated on October 2, 1989. Commissioner Robinson seconded the motion, which passed unanimously. (Resolution # 12791)

- 7) Call for Bids - Purchase of New 6,000-lb Capacity Forklift.

Commissioner Robinson motioned to call for bids, to be opened on January 29, 1991, at 1:30 p.m., for a new 6,000-lb capacity forklift to replace a leased forklift currently being utilized at the Resource Recovery Facility. Commissioner Wylie seconded the motion, which passed unanimously. (Resolution # 12792)

- 8) Call for Bids - Purchase of New Rock Bucket.

Commissioner Wylie motioned to call for bids, to be opened on January 29, 1991, at 1:30 p.m., for a new rock bucket to replace the bucket which has received overuse during the prolonged dike repairs this winter. Commissioner Robinson seconded the motion, which passed unanimously. (Resolution # 12793)

- 9) Call for Bids - New Vehicles: a) 3 new 1991 half-ton pick up trucks, b) 1 new 1991 one-ton cab and chassis, c) 1 new 1991 suburban-type vehicle, and d) 2 new small sedans.

Commissioner Robinson motioned to adopt the resolution calling for bids, to be opened on January 29, 1991, at 1:30 p.m., for 3 new 1991 half-ton pick up trucks for the Public Works road crew, 1 cab and chassis for the Parks Department, and one new suburban-type vehicle for the road crew operations superintendent. Commissioner Wylie seconded the motion, which passed unanimously. (Resolution # 12794)

Commissioner Robinson motioned to adopt the resolution calling for bids, to be opened on January 29, 1991, at 1:30 p.m., for two new small sedans for use by the ARIS Intervention Specialists. Commissioner

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Wylie seconded the motion, which passed unanimously. (Resolution # 12795)

10) Call for Bids - Purchase of Loader Tires.

Commissioner Robinson motioned to call for bids, to be opened on January 29, 1991, at 1:30 p.m., for four new earthmover radial tires to be used on the Public Works Department's John Deere 844 Wheel Loader. Commissioner Wylie seconded the motion, which passed unanimously. (Resolution # 12796)

11) Establishment of C.R.P.'s: a) Bayview - Edison Road, b) Chilberg Road.

In accordance with provisions of the County's Annual Road Program, Commissioner Wylie motioned to adopt the resolution authorizing preliminary engineering funds in the amount of \$10,500.00 for the replacement of the Indian Slough Bridge, utilizing Federal funds made available this year. Commissioner Robinson seconded the motion, which passed unanimously. (Resolution # 12797)

In accordance with provisions of the County's Annual Road Program, Commissioner Wylie motioned to adopt the resolution authorizing preliminary engineering funds in the amount of \$20,000 for the improvement of the Chilberg Road from Mile Point 2.96 northerly to the intersection of the Best and Calhoun Road. Commissioner Robinson seconded the motion, but Chairman Vaux wished to make clear before a vote was taken that the discussions prior to the instigation of the project had not been unanimous by the three commissioners. A vote was called and the resolution passed unanimously. (Resolution # 12798)

A five minute recess was called prior to the next item.

12) Discussion - Gibraltar Road Slide/Geo Engineers Proposal.

Tom Sheahan, Director of Emergency Management, gave an overview of the Gibraltar Road slumping and sliding occurrences using drawings. He stated that after the slumping was discovered on Sunday, January 6, GeoEngineers, who were already on contract with the County for other geotechnical work, were called in to consult on the problem. Mr. Sheahan gave information on the advisory and required evacuations in the area. He provided each Board member and several audience members with a copy of the GeoEngineers proposal.

Chairman Vaux indicated that FEMA is expecting an application from Skagit County asking for an emergency declaration for the Gibraltar Road area. Rather than an extension of the previous declaration, FEMA wishes a request for the inclusion of the occurrence in their disaster declaration. Mr. Sheahan stated that an application is being prepared for the Board's signature at this time.

Chairman Vaux invited comments on the proposal from the audience, but indicated that a decision would most likely not be forthcoming at this time.

Richard Threat, an independent geologist, stated that he had become involved in the situation when he returned from being away from the area on January 3, 1991. He has been assisted in his research by Konrad Korp, although he has been retained by a resident who lives outside the slide area.

Mr. Threat declared that the occurrence is a classic rotational slump block, to which the recent heavy rains most likely contributed. He stated that this type of slump block is typically retrogressive, but may not, in this case, retrogress to cause danger to the residences upland of the block. He stated that this type of slumping is very unusual for Fidalgo Island, although sloughing off of bluffs on Fidalgo Island is not.

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Keith Heide, the Chairman of the Salmon Beach Landowners Association, stated that the Association would like to be included in any decisions affecting their area.

Ross Barnes, another independent geologist, agreed with Mr. Threat's observations. He stated that it is unusual that the toe of the slumping area is not associated with the beach, as you would expect to see, but rather seems to be located as far seaward as landward, as indicated by a new ridging on the beach which can be seen far beyond the normal tide level and low tides. He stated that the actual toe appears to be from 300 to 600 feet out into the water, and that this phenomenon indicates that the slumping is a long-term feature and likely extends considerably below the surface of the land. This would lead Mr. Barnes to believe that the bluff at one time had been a greater area long ago. He stated that a relatively new slump block would have caused a closer toe.

Mr. Barnes stated that the variations of about 16 feet in tidal range is the equivalent of loading and unloading about 20,000 cubic yards of earth from the toe. He suggested that the County may want to investigate the possibility of loading the tidelands to minimize displacement of earth, thereby minimizing slumping through the weighing down of the toe.

Mr. Threat re-emphasized the long-term existence of the slump, and also suggested the removal of load on the head, particularly water, to alleviate the threat of continued slumping.

John Kloski of GeoEngineers stated that he agrees in general with Mr. Barnes' theory of the form of the slump block. He stated that GeoEngineers' proposal would be for the determination of the extent of the slumping, compiling a water budget analysis, and providing options for mitigating the slumping for consideration by the County. He stated that loading of the toe would fall under regulatory rules and permits for offshore projects, while Mr. Threat's onshore suggestion would be easier. He suggested that GeoEngineers make a combination of seven test borings distributed throughout the slide area, which he located on a map, that would extend below sea level. Four borings would contain a slope inclinometer to monitor minute movement of the bluff. All others would contain devices for the recording of water levels. He stated that it is his opinion that water saturation is the present cause of the slumping, although the long-term causes are still speculative. He gave more detailed explanations of the proposed components of the proposal, and stated that he wishes to install the borings over the next three to four weeks, during the current high water conditions, and spend the following one to two weeks producing a final report.

Bill Taylor suggested that the slumping may be caused by an underground ice dam.

Mr. Kloski dismissed this idea, stating that underground ice formation would be very weak, and might cause retention of smaller amounts of water, but not enough to cause this large displacement.

Chairman Vaux then declared that the Board would reconvene at 1:30 p.m. on Thursday, January 17, 1991, at which time there would be opportunity for further comments on the proposal.

13) Miscellaneous.

- a. Don Nelson, Flood Control Engineer, provided a sheet listing options for the restoration of the Cockerham Island levee by the Army Corps of Engineers. The three options listed were:
 - 1) Restore the levee to its pre-flood conditions, at a cost to the County of \$38,600, or 20% of the total project cost.
 - 2) Restore the levee to its pre-flood conditions, adding additional material on the landward side to provide added protection.

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- 3) Restore the levee to its pre-flood conditions, adding two feet to the elevation of the levee. The County's share for the basic restoration would \$38,600. To add two feet to the damaged 2,600 feet of levee would add \$32,000 to the County's share, while adding two feet to the remaining 3,200 feet which had not been damaged would add another \$40,000, bringing the County's total share for all of the components to \$110,600.

Dick from the Army Corps of Engineers indicated that the relief on the first 2,600 is more important than on the additional 3,200 because at the critical area, the river is trying to open a new channel. According to the Corps engineers, if the river continues to overtop the levee in that area, it will likely succeed in creating that new channel.

Ted Anderson, representing the Cockerham Island residents, presented a petition containing 57 signatures of Cockerham Island area residents, requesting that the Board adopt alternative #3.

An unidentified woman also supported the raising of the entire levee by two feet.

Kenny Kaaland, a Cockerham Island property owner, stated that he felt that one more flood would cause the channel to be opened up through Cockerham Island.

Ron Kaaland suggested that the removal of a log jam upriver which causes the river to bend at one point would allow the river to overflow in a crook of land which contains no homes or useable property, thereby alleviating some flooding problems.

Mr. Nelson stated that to remove the log jam would require the application of the Wild and Scenic Rivers Act, and would additionally cause the County to assume some liability for the outlet of the river, although he agreed that this suggestion would certainly help.

After further discussion, Commissioner Wylie motioned to adopt option #3 to restore the Cockerham Island levee to its pre-flood condition, and to add two feet to the elevation of the levee throughout the entire levee system of 5,800 feet, at a cost to the County of \$110,600. Commissioner Robinson seconded the motion, which passed unanimously, and Contract #00797 was signed.

- B. Mr. Nelson submitted a supplemental agreement to the County's agreement with the Army Corps of Engineers for the Fir Island levee restoration. Mr. Nelson stated that the original agreement was to complete rock closures of the levee breach; however, since the first closure washed out, the Corps chose to put the levy behind the second closure, two feet higher. In the midst of the closure construction, water was observed to be seeping from the toe of the fill, and the level of the inland pond between the closure and new levee remained high. After the discovery of an 8 foot layer of silt which was deposited after the first break closure, the Corps decided to place additional gravel along the closure to ensure the integrity of the closure. This was accomplished with 200 more feet of extension added to the closure. The additional cost for this necessary work is \$330,000, 20% of which must be made up in County funding. The original contract was for \$636,000, of which the County participated in the amount of \$127,200. With the additional work on the closure, the total contract amount is now \$977,000, the County's share increasing by \$68,200 to \$195,400.

Commissioner Robinson motioned to approve the amendment to Agreement #SKA-1-90 with the Corps of Engineers, authorizing an additional \$68,200 to the County's share of the construction costs. Commissioner Vaux seconded the motion, which passed unanimously. (Contract #00763)

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CONSENT AGENDA/MISCELLANEOUS ITEMS.

Due to the length of the previous session, the Consent Agenda and Miscellaneous Items were deferred until after the afternoon session.

PARKS AND RECREATION DEPARTMENT - JON AARSTAD, DIRECTOR:

1) Discussion - Snohomish County Railroad Trail - Similarities to Skagit County.

In the furtherance of Skagit County's plans to undertake the construction of a Centennial Trail utilizing abandoned right-of-way belonging to the Burlington Northern Railroad, Mr. Aarstad had invited Mike Parman, Senior Parks Planner with Snohomish County and Centennial Trail Project Manager, Charlie Neil, and Ellen Thompson, Snohomish-Arlington Trails Coalition past president, to discuss Snohomish County's efforts to organize their own Centennial Trail project.

Mr. Parman gave a presentation in which he provided an overview of Snohomish County's progress to this point. He discussed in detail his team's efforts to acquire property to develop the trail, and described Snohomish County's trails master plan.

2) Signature - IAC Grant for Railroad Hiking/Biking Trail.

Relative to the previous item, Mr. Aarstad, presented an agreement for a project grant from the outdoor recreation account of the Washington State Interagency Committee for Outdoor Recreation (#91-157A), which would provide \$325,000 to match Skagit County's contribution of \$325,000 for the acquisition of Burlington Northern Railroad right-of-way in Skagit County for the purpose of creating a Centennial Trail. Mr. Aarstad provided maps showing proposed acquisitions, and stated that, although he recommends signature on the grant agreement, he wished to stress the difficulties involved in the completion of the project. The grant funds from the IAC are to be directed toward the acquisition of 18 miles of Burlington Northern property to be completed by June 30, 1991.

Commissioner Wylie motioned approval of the grant agreement, which Commissioner Robinson seconded. The motion passed unanimously. (Contract #00798)

3) Call for Bids - Tractor for Parks Department.

Commissioner Robinson motioned to call for bids for a new tractor for the Parks Department. Commissioner Wylie seconded the motion, which received unanimous approval. (Resolution # 12807)

4) Signature - Offer to Purchase Property.

Mr. Aarstad presented a letter of intent to purchase property known as the Pressentin property located southeast of Marblemount which he, acting as the representative of the Board, had negotiated for purchase from the current owner, at the purchase price of \$105,000. The property is a total of 40 acres, and will be used as a public park. Commissioner Wylie motioned signature of the letter of intent. Commissioner Robinson seconded the motion, and the motion passed unanimously.

5) Discussion - Subdivision Agreement.

Mr. Aarstad indicated that, following his written indication on a subdivision application that the applicant make a donation of impact fees for the purpose of providing recreational facilities for increased residential

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building, he received a donation of \$1,800 from the Piazza Corporation. He recommended that the amount be placed in the Parks Department Acquisition and Development Fund #352, which is an account administered by the Board of Commissioners. Commissioner Wylie motioned to sign the voluntary mitigation agreement with Piazza Development Corporation for a cash contribution of \$1,800 for the purpose of mitigating impacts related to its development of Country Club Meadows, Division III, in Burlington. Commissioner Robinson seconded the motion, which passed unanimously. (Contract #00799)

CONSENT AGENDA.

Commissioner Robinson motioned to adopt the Consent Agenda of January 14, 1991, as submitted. Commissioner Wylie seconded the motion, which passed unanimously.

- Health Department:

1. Resolution - Updating the schedule of charges for the Skagit County Health Department Water Laboratory, Environmental Health and Vital Records. (Resolution # 12799)

- * Petitions for Property Tax Refund:

2. Bernard Sauer, 360 Woollen Road, Burlington, WA 98233, in the amount of \$870.49, due to a senior citizen exemption. (016790)
3. Washington Federal, 425 Pike Street, Seattle, WA 98101, in the amount of \$7,803.60, due to an error in payment. (016090)
4. William C. Smith, 1514 S. 11th, Mount Vernon, WA 98273, in the amount of \$587.94, due to a senior citizen exemption. (014090B)
5. Laurence E. Boyd, 116 Butler Creek Road, Sedro Woolley, WA 98284, in the amount of \$50.07, due to a double assessment. (016890)
6. T&P Company, P.O. Box 431, Burlington, WA 98233, in the amount of \$34.78, due to the destruction of the property affidavit. (016590)

- * Parks and Recreation Department:

7. Rafters Agreement with Alpine Whitewater - performance deposit of \$100 plus \$1.00 per person exiting onto County property. Duration: October 1, 1990, through September 30, 1991. (Contract #0080)

- * Public Works Department:

8. Signature - Final Cost Records for Cape Horn Road, Concrete Sauk Valley Road guardrail modification - C.R.P. #9500-1. Final Cost: \$154,877.82.

- Commissioners' Office:

9. Resolution reappointing Barbara Davis to the Mental Health Advisory Board. Term expiration: \$September 27, 1993. (Resolution # 12800)

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10. Resolution reappointing Pat West to the Substance Abuse Administrative Board. Term expiration: September 1, 1993. (Resolution # 12801)
11. Resolution reappointing Joyce Pless to the Mental Health Advisory Board. Term expiration: September 27, 1993. (Resolution # 12802)
12. Resolution reappointing Joan Lubbe to the Mental Health Advisory Board. Expiration: October 1, 1993. (Resolution # 12803)
13. Record of the Proceedings from January 7, 1991.
14. Record of the Proceedings from January 8, 1991.

MISCELLANEOUS ITEMS.

- A. 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, January 14, 1991, 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 #63291 through #63769 (Vouchers #015307/100001 through #0115862/100087) in the amount of \$705,918.97. C002-91.
- 2) Warrants #MW001 through MW63290 in the amount of \$350,000. C001-91.

ADJOURNMENT:

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

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON



W. W. Vaux, Chairman



Robby Robinson, Commissioner

Ruth Wylie, Commissioner

ATTEST:



Stephanie Wood, Clerk
Skagit County Board of Commissioners

