

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

**Monday, February 25, 1991**

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

- 1) Continuation of Public Hearing - Vacation of Abandoned Right-of-Way - South Shore Road #1900.
- 2) Adoption of Revised Annual Road Program.
- 3) Call for Bids - One New 1991 Four-Wheel Drive Special Purpose Passenger Vehicle.
- 4) Call for Bids - One New 1991 One-Ton Cab and Chassis Unit.
- 5) Miscellaneous.

CONSENT AGENDA.

MISCELLANEOUS ITEMS.

1:30 p.m. - 1:45 p.m.

- 1) Bid Opening - One New 3/4 Ton Cargo Van.
- 2) Bid Opening - 100,000 Sandbags.
- 3) Bid Opening - Rental of Equipment ( Trucks, Loaders, Backhoes, Excavators, Draglines, Dozers, Etc.)

1:45 p.m. - 2:00 p.m.

Call for Public Hearing - Lease of County Property Located at Bayview Maintenance Shop.

3:00 p.m. - 3:30 p.m.

Miscellaneous Budget/Financial Matters.

The Skagit County Board of Commissioners met in regular session on Monday, February 25, 1991, with Commissioners W. W. Vaux, Robby Robinson and Ruth Wylie present.

**PUBLIC WORKS DEPARTMENT - MARK SPAHR, DIRECTOR:**

- 1) Continuation of Public Hearing - Vacation of Abandoned Right-of-Way - South Shore Road #1900.

Mr. Spahr opened the discussion by reporting information requested by the Board at the last session of the public hearing. He stated that the Assessor's Office uses an involved method for calculating assessed valuation, basing their figures on the adjoining large acreage land values of a majority of the property owners that are involved with the requested vacation. Apparently, the low property valuation for this land is partly attributable to the awkward configuration of the adjoining parcels. Mr. Spahr therefore recommended that the property valuation of the proposed vacation remain at \$0.05 per square foot.

Mr. Spahr indicated that he has received two letters since last week's session regarding the vacation. A letter from Wynn Anderson indicates concern over the measurement of his property. Mr. Spahr explained that staff compiles property measurements off of maps instead of making an actual physical survey. A physical survey would require expenses for staff or private surveyor time, thereby greatly increasing the cost to the petitioners. Mr. Spahr recommended that the measurements indicated for Mr. Anderson's parcel be allowed to stand, but that Mr. Anderson be offered the opportunity to have an independent survey performed at his own expense.

The second letter was received from Joan Palmer, who continues to believe that she should not be required to pay for the vacated property, and remains concerned regarding the presence of Puget Power poles and

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lines as a requirement of property purchase. Ms. Palmer would like the poles removed prior to her purchase, and indicates that she feels due to the sloughing of the bluff and the poor condition of the access, Puget Power trucks should not access their poles along the proposed vacation. Mr. Spahr pointed out that previously vacated portions of the road to the southwest carry a utilities easement. Mr. Spahr estimated that utilities trucks would only need to access these lines one to two times per year, therefore significant impact would not be felt on the bluff or vacated road.

In review, Mr. Spahr recommended that the abandoned roadway be vacated to the adjacent property owners at \$0.05 per square foot at the present measurements and computations, and that each sale be conditioned on the presence of a utilities easement negotiated between each purchaser and Puget Power.

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

Commissioner Wylie then motioned to approve Mr. Spahr's recommendations, and those contained in the Engineer's Report. Commissioner Robinson seconded the motion, which passed unanimously.

Brief discussion ensued on the possibility of any of the petitioners refusing to purchase the property, and the Board agreed that in that event, the property should be considered for surplus and public auction.

### 2) Adoption of Revised Annual Road Program.

Mr. Spahr had previously provided copies of the road program revisions for the Board's review. He explained that with the exception of confirmed dollar amounts for the Burpee Hill Road, the revision is complete. He explained that a FEMA DSR (Disaster Survey Report) for \$24,000 has been received for a lesser road repair; however, a DSR that is estimated to total several hundred thousand dollars is still expected, but has been complicated by the review and determination of the correct jurisdiction. It would appear as though the \$24,000 award should go to the Town of Concrete, with the larger award granted to Skagit County for the more extensively damaged section.

Commissioner Robinson disputed the jurisdictional findings suggested by Mr. Spahr, and Mr. Spahr stated that he would continue to work to clarify the issue.

Robin LaRue, Design/Construction Engineer, reviewed the revised program. He indicated the removal of low priority items from the list in lieu of more critically flood damaged roads.

Commissioner Wylie motioned to adopt the revised annual road program, as outlined by Mr. LaRue. Commissioner Robinson seconded the motion, and the motion passed unanimously. (Resolution #12856)

### 3) Call for Bids - One New 1991 Four-Wheel Drive Special Purpose Passenger Vehicle.

Commissioner Robinson motioned to adopt the resolution calling for bids to be opened on March 11, 1991, at 1:30 p.m., for a new four-wheel drive passenger vehicle for the Commissioners' Office. Commissioner Wylie seconded the motion, which passed unanimously. (Resolution # 12857)

### 5) Miscellaneous.

This item was taken at this time for the convenience of the audience.

A. Tom Sheahan updated the Board on an oil spill that had occurred at the Texaco Oil Refinery on

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Friday, February 22, 1991, about 11:40 p.m. He stated that the spill was reported by a neighbor, who first noted a blow out at one of the pumping stations. It is unknown what caused the blow out, which caused 1100 barrels of Alaska crude oil to escape, seeping along ditches and fields into Fidalgo Bay and neighboring properties.

Response to the spill was very good, Mr. Sheahan said, with a number of State and local agencies, in conjunction with the Clean Sound Corporation, providing personnel and equipment. Mr. Sheahan stated that, although the event is not as catastrophic as the recent flooding disaster, it is advisable for the County to declare an emergency due to the individual and State losses involved.

Commissioner Wylie motioned to adopt the resolution declaring an emergency beginning on Friday, February 22, 1991, at 11:40 p.m., due to the spill of approximately 1100 barrels of crude oil into Fidalgo Bay from the Texaco, USA Refinery. Commissioner Robinson seconded the motion, which passed unanimously. (Resolution # 12858)

The Board then viewed a videotape made following the spill, after which Mr. Sheahan requested that the Board authorize a Notice of Closure for the West March's Point Road from South Texas Road to the Shell Refinery Main Gate from 8:00 a.m. on February 25, 1991, through 3:00 p.m. on Monday, March 4, 1991, due to the oil spill. Commissioner Robinson motioned adoption of the resolution, with Commissioner Wylie seconding. The motion passed unanimously. (Resolution # 12859)

4) Call for Bids - One New 1991 One-Ton Cab and Chassis Unit.

Commissioner Robinson motioned to adopt the resolution authorizing a call for bids to be opened on March 11, 1991, at 1:30 p.m., for a new one-ton cab and chassis on which a County-owned boom can be mounted for use by the sign shop and brush cutting operations of the Public Works Department. Commissioner Wylie seconded the motion, which passed unanimously. (Resolution # 12860)

5) Miscellaneous.

B. The Board approved for signature a letter of thanks to Rusty Solomon, retiring County Roads Supervisor.

CONSENT AGENDA.

Commissioner Wylie motioned to adopt the Consent Agenda of February 25, 1991, as submitted. Commissioner Robinson seconded the motion, which passed unanimously.

\* Assigned Counsel:

1. Professional Services Contract with Thomas R. Kamb to provide legal services in Juvenile Dependency conflict cases for the period from date of agreement through December 31, 1991. Compensation occurs at rate schedule listed in contract. (Contract #00853)
2. Professional Services Contract with Thomas R. Kamb to provide legal services in Superior Court and Juvenile Court conflict cases for the period from date of agreement through December 31, 1991. Compensation occurs at rate schedule listed in contract. (Contract #00854)
3. Professional Services Contract with Starck M. Follis to provide legal services in Superior Court and Juvenile Court conflict cases for the period from date of agreement through December 31,

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1991. Compensation occurs at rate schedule listed in contract. (Contract #00855)

\* Parks and Recreation Department:

4. Rafters Agreement with Wild and Scenic River Tours for the period from October 1, 1990, through September 30, 1991. Rafter must provide performance deposit in amount of \$100, and pay \$1 per person exiting the river onto County property. (Contract #00856)

\* Human Services Department:

5. Signature Authorization Form for processing of mental health payments through the new regional system of the North Sound Regional Support Network. (Contract #00773)

\* Commissioners' Office:

6. Reappointment of Walt Schuh to Fair Advisory Board with terming beginning January 1, 1991, and expiring December 31, 1994. (Resolution # 12861)
7. Record of the proceedings from February 19, 1991.
8. Appointment of Carl Bruner to Mental Health Advisory Board. Expires February 25, 1994. (Resolution # 12862)
9. Appointment of Nancy Doty to Mental Health Advisory Board. Expires February 25, 1994. (Resolution # 00863)

**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, February 25, 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 #64706 through #65416 (Vouchers #100893 through #101857) in the amount of \$495,689.43. Transmittal #CO-10-91.
  - 2) Warrants #80226 through #80385 (Vouchers #80226 through #80384) in the amount of \$254,532.43. Transmittal #R-06-91.
  - 3) Warrants #9842 through #9903 (Vouchers #PDRAWFEB664 through #PDRAWFEB724) in the amount of \$21,441.25. Transmittal #P-3-91.
- B. The Board reviewed the Notice of Intention filed with the Boundary Review Board for the annexation of 503 acres of land in the area of Chuckanut Drive, Pacific Rim Lane and Birds Eye View into Fire Protection District #5. It was agreed that the Board would not request an assumption of jurisdiction by the Boundary Review Board on the proposal.

**BID OPENING - ONE NEW 3/4TON CARGO VAN.**

It was decided to re-bid this item, due to a clerical error in the mailings sent to prospective bidders, which

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listed the opening on the incorrect day.

**BID OPENING - 100,000 SANDBAGS.**

Chairman Vaux waived the reading of the notice of call for bids, as published in The Skagit Argus on February 12 and 19, 1991.

Three bids were received and opened:

- 1) Fisher Bag Company, Inc.  
1560 First Avenue South  
Seattle, WA 98134

Total Bid: \$34,624.00

- 2) Justus Bag Company, Inc.  
E. 11205 Trent  
Spokane, WA 99206

Total Bid: \$47,476.00

- 3) Friedman Bag Co., Inc.  
P.O. Box 13389, 6430 N.E. Halsey St.  
Portland, OR 97213

Total Bid: \$49,343.00

**BID OPENING - RENTAL OF EQUIPMENT (TRUCKS, LOADERS, BACKHOES, EXCAVATORS, DRAGLINES, DOZERS, ETC.)**

Chairman Vaux waived the reading of the notice of call for bids, as published in The Skagit Argus on February 12 and 19, 1991.

The bids received and opened are listed on Attachment A to this Record.

**CALL FOR PUBLIC HEARING - LEASE OF COUNTY PROPERTY LOCATED AT BAYVIEW MAINTENANCE SHOP.**

Commissioner Robinson motioned to adopt the resolution calling for a public hearing on March 18, 1991, at 2:00 p.m., to consider the lease of a County-owned building located on the north side of 1136 Second Street in Bayview, Washington, a facility commonly known as the County's Bayview Maintenance Shop. Commissioner Wylie seconded the motion, which passed unanimously. (Resolution # 12864)

**MISCELLANEOUS ITEMS.**

- A. The Board approved a Quit Claim Deed, conveying property to the City of Sedro Woolley for the sum of \$1.00, located as follows:

Lots 1, 2, 3, 4, 5 and 6, Block 25, "Plat of Town of Sedro", as per plat recorded in Volume 1 of Plats, page 17, records of Skagit County, Washington.

The property is located on Alexander Street in Sedro Woolley, and is commonly known as the Sedro Woolley City Shop.

As a condition of the conveyance, the City of Sedro Woolley will assume all responsibility for all underground storage tanks, including compliance with EPA Underground Storage Tanks (USTs) Regulations. In a "gentlemen's agreement" the City will continue to allow the County to park vehicles at that location, as has been traditionally allowed.

Commissioner Robinson motioned approval of the *Quit Claim Deed*, with Commissioner Wylie seconding. The motion passed unanimously.

**MISCELLANEOUS BUDGET/FINANCE MATTERS.**

- A. At the request of employees of the County's new At-Risk Intervention Specialist program, a joint venture with local school districts, the Board approved for signature the following contracts for specialized individual and family therapists to whom the Intervention Specialists can refer special at-risk young people whom they deem to warrant special therapy:
- 1) Chrisa Moore, M.A., N.C.C., 808 Elliott Place, Mount Vernon, Washington, to provide individual and family therapy at \$65 per counseling hour (50 minutes) from February 20, 1991 through December 31, 1991. (Contract #00857)
  - 2) Northwest Family and Childrens Services, 1303 S. 2nd, Mount Vernon, Washington, to provide individual and family therapy at \$65 per counseling hour (50 minutes) from February 20, 1991 through December 31, 1991. (Contract #00858)
- B. In light of the fact that the "911" Advisory Committee is prepared at this time to present a recommendation to the Skagit County Emergency Management Council regarding the system configuration and preliminary implementation decision for the County's "911" Emergency Communication System, Mike Woodmansee, Budget/Finance Director, requested a meeting of the Skagit County Emergency Management Council.
- C. At this time, Mr. Woodmansee requested that Mark Spahr, Public Works Director, make a presentation aimed at eliciting the Board's comments on how to proceed with the inception of a County-wide drainage plan.

Mr. Spahr stated that RCW 36.89 gives Counties the authority to create storm drainage utilities and to establish a fee schedule which would provide funds to address drainage issues. Mr. Spahr suggested that this type of charge would be assessed in conjunction with the tax bills.

Mr. Spahr recommended that Skagit County establish a County-wide storm drainage utility, activating an initial assessment of \$10 per parcel. This would generate approximately \$600,000 of revenue, which would be an amount sufficient to develop a comprehensive drainage plan, of which flooding issues would be a component. Within this Plan would be a capital improvement plan, identification of drainage and flooding issues, and a recommendation for an annual rate to be associated with each respective land parcel in Skagit County. At that time, the recommended rate would be considered by the Board to replace the initial \$10 per parcel charge.

Mr. Spahr requested the Board's guidance on how they would like to approach this topic; when to proceed with a formal public discussion, whether to include those cities who presently have a storm drainage utility, and how the Board would feel about an advisory vote.

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Discussion ensued, with Mr. Spahr explaining that staff arrived at an estimated \$600,000 planning cost through conversations with consultants and other cities.

At the end of the discussion, the Board directed Mr. Spahr to place the issue on their agenda for discussion next week.

**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**

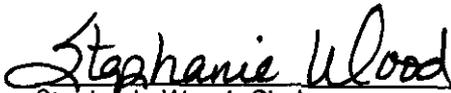


  
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W. W. Vaux, Chairman

  
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Robby Robinson, Commissioner

  
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Ruth Wylie, Commissioner

ATTEST:

  
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Stephanie Wood, Clerk  
Skagit County Board of Commissioners