

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

**Monday, March 18, 1991**

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

Public Works Department - Mark Spahr, Director:

- 1) Public Hearing - Franchise Extension Country Cable T.V., Inc.
- 2) Update - Development of Joint Recycling Program.
- 3) Discussion - National Pollutant Discharge Elimination Permit for Storm Water Discharge - Inman Landfill and Resource Recovery Facility.
- 4) Request for Letters of Interest/Statements of Qualifications - Consultant for Analysis and Storm Water Sewer Design - Sedro Woolley Sub-Flood Control Zone.
- 5) Signature - C.R.A.B. Annual Certification.
- 6) Signature - Contract with D.N.R. for Removal of Sand and Gravel.
- 7) Miscellaneous.

CONSENT AGENDA.

MISCELLANEOUS ITEMS.

1:30 p.m. - 2:00 p.m.

Update - WSU Cooperative Extension Programs - Kay Haaland, Skagit County Chairman.

2:00 p.m. - 3:00 p.m.

- 1) Public Hearing - Lease of Portion of County Property known as Bayview Maintenance Shop.
- 2) Recommendation - Architect Selection for County Construction Projects.
- 3) Discussion - Lease of Office Space for Human Services Department.
- 4) Consideration - Request of WSDOT to Purchase County Tax Title Property for Road Improvement Project.
- 5) Proclamation - Public Works Recognition Day - Friday, March 22, 1991.
- 6) Resolution Directing Planning Commission to Make Recommendations for Interim Controls on Development Activity in the Gibraltar Landslide Area.

The Skagit County Board of Commissioners met in regular session on Monday, March 18, 1991, with Commissioners W. W. Vaux and Robby Robinson present. Commissioner Wylie's absence was excused.

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

- 1) Public Hearing - Franchise Extension.

Chairman Vaux waived the reading of the Notice of Public Hearing, as published in The Skagit Argus on March 5 and 12, 1991.

Mark Spahr presented a request for franchise extension from Country Cable T.V., Inc. He explained that the request is simply an extension of an existing franchise to include the entire county and the company has paid the franchise fees, submitted a statement of insurance and completed the application for cable t.v. franchise.

Commissioner Vaux motioned to close the public hearing. Commissioner Robinson seconded the motion,

which was carried.

Commissioner Robinson motioned to approve the application of Country Cable T.V., Incorporated for franchise extension for a t.v. cable system to include the entire county. Commissioner Vaux seconded the motion, which was carried. (Resolution # 12896)

2) Update - Development of Joint Recycling Program.

Ric Boge, Recycling Coordinator, presented an update on the status of a Joint Recycling Program, which will expand recycling opportunities to all residents of the Cities of Anacortes, Burlington, Mt. Vernon and Sedro Woolley. Mr. Boge said he has been working with the four larger communities for the last six months putting together the concept of curbside recycling. This is a major step leading to the offering of curbside recycling services within those four cities.

Mr. Boge elaborated on the recycling plan and advised the Board that next week he would present an Interlocal Agreement, signed by the cities, and a resolution to go out for proposals for services for the Joint Recycling Program. It is expected that the proposals will be in by May 14 and will, hopefully, have a contract will be signed by the middle of July for collection to begin January 1, 1992.

Commissioner Vaux asked if the County would have financial responsibility. Mr. Boge advised that the County will assume an administrative role and will be paying for some promotional costs. After the program begins, the only cost to the County will be in man hours to bill the cities.

There was some discussion about incentives for separating waste by County disposal facilities. Mr. Boge advised they are looking for methods to reward haulers for bringing separated waste to the disposal facilities and they are talking about the possibility of a rebate program. The cities are interested in the concept as they would be part of a larger entity rather than doing it on their own.

Mr. Boge said he is encouraging the cities to be in the waste management service rather than the garbage service. He added that there are many incentives being given to people to participate in recycling programs.

3) Discussion - National Pollutant Discharge Elimination Permit for Storm Water Discharge - Inman Landfill and Resource Recovery Facility.

Jeff Monsen, Assistant Director, Solid Waste, reported. On November 16, 1990, the U.S. Environmental Protection Agency issued new regulations to implement a portion of the federal Clean Water Act. These regulations now require a wide variety of industrial facilities to obtain a National Pollutant Discharge Elimination System (NPDES) permit for storm water discharges associated with industrial activity. Inman Landfill and the Resource Recovery Facility fall into the expanded definition for "industrial activity". Because of this the Public Works Department has to apply for a permit. They will be applying for this permit via the development of a group application.

Mr. Monsen said it is his recommendation that Skagit County contract with Sweet-Edwards to complete at least Part 1 of the permit application on the County's behalf. Mr. Monsen said that if the Board approves pursuing a group application, it would provide extra time to look into the matter prior to finalization.

There was some discussion with Don Bockelman about this matter. Mr. Monsen advised that there is still a possibility the Department of Ecology might issue a blanket permit for the entire state. Don Bockelman asked if someone in Skagit County would be ultimately responsible for handling and processing the permit. Mr. Monsen said that the County would be responsible in that we will have to sign off on the permit application. Mr. Bockelman asked if the County is looking for a new person to handle this. Mr. Monsen said it is a joint effort between the Health Department and the Public Works Department.

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Commissioner Vaux and Commissioner Robinson both commented on the savings that would occur for the County.

Commissioner Vaux motioned to approve the County's intention to enter into an agreement with Sweet-Edwards/EMCON, Inc. to complete at least Part 1 of the permit application on the County's behalf. These services for Part 1 will be limited in this case to \$500.00 per facility (total \$1000.00). As described in a letter submitted, additional costs will accrue before the application is completed, but the County will have the option to withdraw participation before this occurs. Commissioner Robinson seconded the motion, which was carried.

#### 4) Request for Letters of Interest/Statements of Qualifications - Consultant for Analysis and Storm Water Sewer Design - Sedro Woolley Sub-Flood Control Zone.

Dave Brookings, Asst. Flood Control Engineer, reviewed a map of the area in question with the Board. He explained that there is increasing development in the Sedro Woolley area and no storm sewer system. The purpose is to design a drainage plan for the entire water shed and develop a storm sewer system, at which point a public hearing will be held. The sub-flood budget that was adopted provides for this.

Commissioner Robinson motioned to approve a request for letters of interest/statements of qualifications for a consultant to provide an analysis and storm water sewer design for the Sedro Woolley Sub-flood Control Zone. Commissioner Vaux seconded the motion, which was carried.

#### 5) Signature - C.R.A.B. Annual Certification.

Mark Spahr reported that each year a construction report is sent to the C.R.A.B. office. Included in the Construction Report is the 1990 Bridge Report, the Activity and Cost Report for the C.A.P.P. Program and the Annual Certification. The Board approved the C.R.A.B. Annual Certification for signature by the Chairman, W. W. Vaux.

#### 6) Signature - Contract with D.N.R. for Removal of Sand and Gravel

Mark Spahr advised that the contract with D.N.R. provides for a purchase and sale agreement whereby the County agrees to pay 50 cents per cubic yard for material removal from those identified sites. This is a standard agreement with DNR which Mr. Spahr recommended for signature by the Board.

Commissioner Robinson motioned to approve for signature a contract with D.N.R. for removal of sand and gravel whereby the purchaser (Skagit County Public Works) shall and does hereby agree to pay the State (Department of Natural Resources) \$.50 per cubic yard for all valuable material removed by the purchaser from said premises as described in the contract. Commissioner Vaux seconded the motion, which was carried. (Contract #00870)

#### 7) Miscellaneous .

A. Mr. Monsen reviewed with the Board a resolution regarding payment for a replacement rotostep screen at the Burlington Wastewater Treatment Plant. The resolution was not for signature on this date.

**CONSENT AGENDA.**

Commissioner Robinson motioned to adopt the Consent Agenda of March 18, 1991, as submitted. Chairman Vaux seconded the motion, which carried and was so ordered.

• **Petitions for Property Tax Refund:**

1. Equity Systems and Larry Bughi, 13702 SE 51st Pl, Bellevue, WA 98006, in the amount of \$53.97, due to a manifest error. (001291)

\* **Planning Department:**

2. Application for sewer service connection to Whatcom County Water District #12 for Alan and Darcy Herbert for 3 living units.
3. Application for sewer service connection to Whatcom County Water District #12 for Kenneth and Phyllis Reinhold for a three bedroom mobile home.

\* **Parks and Recreation Department:**

4. School Facility Use Agreement with Burlington-Edison Schools for the use of the high school gym and fieldhouse on April 6th for a volleyball tournament at a rate of \$100 plus custodian fees. (Contract #00871)
5. School Facility Use Agreement with Burlington-Edison Schools for the use of the Westview, Allen-Edison and Lucille Umbarger softball fields from March through May for girls softball at no charge. (Contract #00872)
6. School Facility Use Agreement with Burlington-Edison Schools for the use of the high school track on June 1st for the Arco Jesse Owens Track Meet at no charge. (Contract #00873)
7. School Facility Use Agreement with Mount Vernon Christian School for the use of softball fields #2 and #4 from April through June 15 for softball games at no charge. (Contract #00874)

• **Senior Services Department:**

8. Annual contract with Homewell Health Services to provide foot care to senior citizens at the Burlington, Anacortes, Sedro Woolley, Mount Vernon and Concrete Senior or Community Centers from January 1, 1991, through December 31, 1991, at a rate of \$12.00 per hour. (Contract #00875)

• **Health Department:**

9. Guest Speaker Contract with Jane Conquest to provide a presentation: Personal Perspectives on HIV/AIDS at the Friendship House on March 12, 1991 for \$25. (Contract #00876)

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\* Public Works Department:

10. Resolution - Revision #3 to Chilberg Road CRP #4220-2 and Final Cost Records. (Resolution # 12897)
11. Final Cost Records for South March Point Road CRP #1466-1.

\* Commissioners' Office:

12. Contract for Professional Services with Linda G. Walton to provide individual and family therapy to support the A.R.I.S. program at \$50 per hour for individual therapy and \$60 per hour for group therapy, from March 12, 1991 through December 31, 1991. (Contract #00877)
13. Contract for Professional Services with Nora Fleming Young, Ph.D., to provide individual and family therapy and psychological and drug/alcohol assessments to support the A.R.I.S. program at \$65 per hour for individual therapy and \$75 per hour for group therapy, from March 5, 1991 through December 31, 1991. (Contract #00878)
14. Resolution raising per diem of Board of Equalization from \$100 to \$125 per actual day of attendance, as per 1991 Skagit County Budget. (Resolution # 12898)
15. Record of the Proceedings from Tuesday, March 12, 1991.

**MISCELLANEOUS**

- A. Commissioner Robinson motioned to approve for signature Warrants 85412 through 85470 in the total of \$15,470. Commissioner Vaux seconded the motion, which was carried. (PR-5-91)
- B. Commissioner Robinson motioned to approve for signature Warrants 80385 through 80532 in the amount of \$135,314.98. Commissioner Vaux seconded the motion, which was carried. (R07-91)
- C. Jon Aarstad, Director of the Parks and Recreation Department, was given permission to purchase a John Deere rotary lawn mower from Barnett Implement for the purchase price of \$6,127.82.

**UPDATE - WSU COOPERATIVE EXTENSION PROGRAMS - KAY HAALAND, SKAGIT COUNTY CHAIRMAN.**

Ms. Holland updated the Board on several items as follows:

- The WSU annual in-service education week will begin March 25, 1991. During that week, staff will be on reduced schedules.
- The Cooperative Extension will begin charging for the use of their satellite education programs to pay for staff overtime caused by after-hours use.
- Dyvon Havens, Horticulture Agent, is in mid-term for tenure and has written a Contribution Statement to submit to WSU, which she will be reviewing with the Board at a later date.
- Ms. Holland offered to provide training to Skagit County staff members who are involved in public hearings in consensus training and group decision making. She also offered to facilitate advisory groups. She wanted to know how she could market her skills in group facilitating and training.
- She made a request that the Cooperative Extension staff be allowed to go to an eight hour work day.
- She wanted to know if Skagit County should pay for more livestock agent hours.

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- She discussed requests she has received for help in strategic planning.
- She briefly discussed the 4-H program.
- She discussed the child care program.

**PUBLIC HEARING - LEASE OF PORTION OF COUNTY PROPERTY KNOWN AS BAYVIEW MAINTENANCE SHOP.**

Chairman Vaux waived the Notice of Intent to Lease County Property, as published in The Skagit Argus on February 26, and March 5 and 12, 1991.

Roger Howard, Facilities Manager, stated that the Historical Society has leased this portion of the Bayview Shop on behalf of the Antique Machinery Club for storage of antique machinery for the past two years. A request has been received to continue this lease.

Roy Johnson, representing the Antique Machinery Club, stated that the Club has extensive plans for the site, which include landscaping, the construction of two pole buildings, and the assumption of use of the gas station building. He requested that the lease be continued, but extended from a period of two years to a 10 year period or more. He stated that his group plans to institute a weekend display or open house format, and that they have additional machinery to move from the Peth farm for storage in the proposed pole buildings.

Reviewing the expired lease, Chairman Vaux found that the Historical Society was paying \$1 per year for the north building, while the County was to retain one portion of the building on the west end for tool storage.

Mr. Johnson noted that the Club would like to additionally take over the remainder of the north building, which the County now is now not using.

Chairman Vaux noted a letter received from a local homeowner, who has an easement over the property the Club would presumably use for parking for the open houses and showings.

Mark Spahr, Public Works Department Director, indicated that the Public Works staff uses the south building for tool storage, while a portion of the rest of the site is used for parking for those using the Padilla Bay nature trail.

Commissioner Robinson indicated he would like to have more information on the County's use of the buildings.

Chairman Vaux instructed that if the Club wishes to expand their use of the site, a written request containing a summary of their plans must be submitted to the Board.

Mr. Johnson then requested the renewal of the old lease now, allowing him to submit additional requests later.

Commissioner Robinson motioned approval of the agreement to extend the lease of the entire north building of the Bayview Shop for an additional two years, at \$1 per year. This would strike #2 of the old agreement, allowing the Club to take over the entire building. Chairman Vaux seconded the motion, which passed unanimously.

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**RECOMMENDATION - ARCHITECT SELECTION FOR COUNTY CONSTRUCTION PROJECTS.**

Mr. Howard stated that a committee consisting of himself, Mike Woodmansee, Budget/Finance Director, and Terry Rousseau, Director of the Juvenile Probation Department, interviewed 7 architectural firms to complete three County projects: Project #1 - provide architectural services for a new County building to be located at Gates and Third Street (Blade Building), Project #2 - provide architectural services for a remodel of the Courthouse Annex for Juvenile Detention, and Project #3 - provide architectural services for several miscellaneous County projects. The group submitted the following recommendations:

Project #1 - The Henry Klein Partnership.

Project #2 - The Cheney/Page Architects.

Project #3 - Tom Theisen, Architects.

Mr. Howard stated that a portion of Project #3, the remodel of an unfinished room in the Sheriff's Office, was deleted from Project #3 and added to Project #2, as Cheney/Page provided architectural services for the construction of the Sheriff's Office and is familiar with the project. Both firms chosen for projects #2 and #3 are in agreement with this decision.

Commissioner Robinson motioned approval of the recommendations. Chairman Vaux seconded the motion, which carried and was so ordered.

**DISCUSSION - LEASE OF OFFICE SPACE FOR HUMAN SERVICES DEPARTMENT.**

Mr. Howard stated that he has reviewed at least six office locations to provide much needed space to house the now crowded Human Services Department. He identified a space located at 811 Cleveland in Mount Vernon, west of Seafirst, as his recommendation for a lease. The lease that is being offered is a 3-year, 4-month lease, with no termination clause. The cost for the space is \$1,605 per month, with an annual lease payment increase provision. The total space offered is 2,025 square feet, which would be adequate for the Human Services Department.

Commissioner Robinson motioned approval of the lease agreement, with Chairman Vaux seconding. The motion carried and was so ordered. (Contract #00879)

**CONSIDERATION - REQUEST OF WSDOT TO PURCHASE COUNTY TAXTITLE PROPERTY FOR ROAD IMPROVEMENT PROJECT.**

A request from the Washington State Department of Transportation to purchase property obtained by the County in tax foreclosure was reviewed. The property is located along College Way, and is needed by the WSDOT to complete a road improvement project.

Consultation with the Assessor's Deputy, Bob Lee, indicates that the price offered, \$29,500, for 6,550 square feet of land is reasonable. Appraisals by independent parties were provided by WSDOT as part of the request. Deputy Treasurer Katy Junquist and Chief Civil Deputy Prosecutor John Moffat have both agreed that the request conforms to the laws which allow the County to sell property to another governmental entity without a public hearing or formal auction. Linda Johnson of the Public Works Department has indicated no use for the property, as it is actually located within the City of Mount Vernon.

Commissioner Robinson motioned to adopt the resolution allowing the Board to execute a deed to the State of Washington, Department of Transportation for County- owned property on State Route 538. Chairman

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Vaux seconded the motion, which passed unanimously. (Resolution # 12899)

**PROCLAMATION - PUBLIC WORKS RECOGNITION DAY - FRIDAY, MARCH 22, 1991.**

The Board proclaimed Friday, March 22, 1991, Skagit County Public Works Department Recognition Day, in honor of their dedicated service during the flooding disaster of November, 1990.

**RESOLUTION DIRECTING PLANNING COMMISSION TO MAKE RECOMMENDATIONS FOR INTERIM CONTROLS ON DEVELOPMENT ACTIVITY IN THE GIBRALTAR LANDSLIDE AREA.**

Although the Board had, on Tuesday, March 12, 1991, indicated that a public hearing would be held to consider the adoption of interim controls on development in the Gibraltar landslide area to maintain environmental stability during a geotechnical survey being conducted on the slide plane, consultation with the County's Chief Civil Deputy indicated that an interim control on what the law sees as a "zoning measure" may be adopted only after it has been referred to the County Planning Commission for review and recommendation.

Commissioner Robinson motioned to adopt the resolution requesting a recommendation from the Skagit County Planning Commission for interim controls on development in the Gibraltar Heights area. Chairman Vaux seconded the motion, which carried and was so ordered. (Resolution #12900)

**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, March 18, 1991, the Board, by a majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

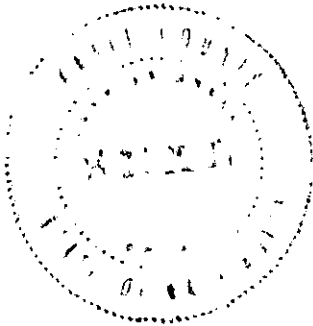
- 1) Vouchers #PDRAWMAR725 through PDRAWMAR788 (Warrants #10541 through #10604) in the amount of \$22,338.46. Transmittal #P-5-91.
- B. In accordance with action previously taken, the Board approved for signature a resolution allowing Planning Department permit waivers for individuals effected by the November flooding and December wind and ice storms. (Resolution # 12901)



**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

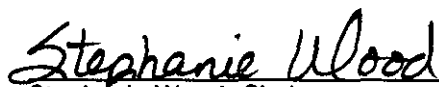


  
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W. W. Vaux, Chairman

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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