

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

Monday, April 8, 1991

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

Board of Health:

- 1) Big Lake Local Utility District Activity.
- 2) Status of Skagit County Water Code.
- 3) Miscellaneous.

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

Public Works Department - Mark Spahr, Director:

- 1) Call for Public Hearing - Vacation of Right-of-Way - Joe Johnson Road.
- 2) Call for Public Hearing - Vacation of Right-of-Way - Roney Road.
- 3) Call for Bids - Purchase of Culvert Stock.
- 4) Call for Bids - Purchase of Liquid Asphalt Products.
- 5) Call for Bids - Purchase of Asphalt Mix Products.
- 6) Resolution - Authorizing Sale of Motor Vehicle to Skagit Explorer Search and Rescue Unit.
- 7) Miscellaneous.

CONSENT AGENDA.

MISCELLANEOUS ITEMS.

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

- 1) Proclamation - Skagit County Law Day - May 1, 1991.
- 2) Discussion - Sale of Weed Harvester.

MISCELLANEOUS ITEMS.

2:30 p.m. - 3:30 p.m.

Work Session - Budget/Finance.

7:00 p.m. - 9:00 p.m.

Public Meeting - Drainage and Flood Control.
(Sedro Woolley Senior Center, 710 State Street, Sedro Woolley)

The Skagit County Board of Commissioners met in regular session on Monday, April 8, 1991, with Commissioners Ruth Wylie and Robby Robinson present. Chairman Vaux's absence was excused.

BOARD OF HEALTH:

1) Big Lake Local Utility District Activity

Lorna Haycox of the Skagit County Health Department reviewed a map of the area with the Board. She advised that there is no opposition to the plan for a public water system.

Commissioner Wylie asked if the smaller water districts would be out of business. Ms. Haycox advised that they would be. The Farmers Home Administration will be making a \$1.3 million grant and a \$2.1 million loan offer soon. Also, the State Department of Health will be granting \$167,000. She advised that they hope to be serving water by the end of 1992.

Commissioner Wylie congratulated Ms. Haycox on her work on this project and suggested that a letter be submitted to the Farmers Home Administration from the Board regarding this matter.

2) Status of Skagit County Water Code

Ms. Haycox reported on the status of the Skagit County water code. She advised that the Water Coordinating Council is working on this project at the present time.

Ms. Haycox explained that one of the issues being dealt with is when to drill wells. The Planning Department was proposing that wells be drilled prior to application for a building permit. The Water Coordinating Committee feels that probably the wells should be drilled before final plat because of the costs. Ms. Haycox talked about how other counties are handling this and advised that the Water Coordinating Committee will be discussing this issue at their meeting April 9.

Ms. Haycox also advised that the Water Coordinating Committee will be discussing the issue of plats with designated well sites on them. They will deal with the contamination issue as well as the ability to adversely impact a neighbor.

3) Miscellaneous

a) Carolyn Milat, Director, Skagit County Health Department provided a copy of a newsletter to physicians that is being published quarterly. She advised that physicians appreciate this kind of information.

b) Ms. Milat made some comments relative to the WIC Program, which is monitored by the State Department of Health. She advised that Health Department staff are doing a wonderful job with this program.

c) Ms. Milat advised that relative to a new school immunization law requiring all children entering the 6th grade to have a second dose of measles vaccine, the Health Department will be open for a couple of evening clinics to help provide this service. This may begin in May.

4) Barbara Meier presented to the Board information on "Bridge Grants". She advised that the state will be funding about 15 grant applications with the intent of increasing access to care for low income children. The Health Department has been approached by DSHS and Community Action and asked to be involved in a grant proposal. The deadline to submit the grant proposal is the 15th. She explained that they have discovered that the Concrete, Marblemount, Rockport area children may receive a little less primary sick care than children in heavily populated areas. The proposal would be to hire a nurse practitioner with prescriptive authority. She said they wish to be heavily involved with local people in the decision making and location of sites, etc. process. The project would be fully funded by the grant monies. Ms. Meier requested a letter of support from the Board. She said they hope that this will be an on-going project until more medical people move into the area, at which time there would be no need for this service.

Commissioner Robinson motioned to approve the Bridge grant application to projects that would increase access to children's health services. Commissioner Wylie seconded the motion, which was carried.

PUBLIC WORKS DEPARTMENT - MARK SPAHR, DIRECTOR:

1) Call for Public Hearing - Vacation of Right-of-Way - Joe Johnson Road.

Commissioner Robinson motioned to adopt the resolution calling for a public hearing on Monday, April 29, 1991, at 10:00 a.m., to consider a request to vacate County right-of-way known as Joe Johnson Road. Commissioner Wylie seconded the motion, which carried and was so ordered. (Resolution # 12928)

2) Call for Public Hearing - Vacation of Right-of-Way - Roney Road.

Commissioner Robinson motioned to adopt the resolution calling for a public hearing on Monday, April 29, 1991, at 10:00 a.m., to consider a request to vacate an unused right-of-way known as a portion of the Harold

RECORD OF THE PROCEEDINGS

Monday, April 8, 1991

Page #3

R. Roney Road. Commissioner Wylie seconded the motion, which carried and was so ordered. (Resolution # 12929)

3) Call for Bids - Purchase of Culvert Stock.

Commissioner Robinson motioned to adopt the resolution calling for bids for the purchase of culvert stock, to be received and opened on Monday, April 22, 1991, at 2:00 p.m. Commissioner Wylie seconded the motion, which carried and was so ordered. (Resolution # 12930)

4) Call for Bids - Purchase of Liquid Asphalt Products.

Commissioner Robinson motioned to adopt the resolution calling for bids for liquid asphalt products to be received and opened on Monday, April 22, 1991, at 2:00 p.m. Commissioner Wylie seconded the motion, which carried and was so ordered. (Resolution # 12931)

5) Call for Bids - Purchase of Asphalt Mix Products.

Commissioner Robinson motioned to adopt the resolution calling for bids for asphalt mix products to be received and opened on Monday, April 22, 1991, at 2:00 p.m. Commissioner Wylie seconded the motion, which carried and was so ordered. (Resolution # 12932)

6) Resolution - Authorizing Sale of Motor Vehicle to Skagit Explorer Search and Rescue Unit.

Sharon Bumgarner, Staff Assistant, explained that a 1976 GMC Suburban vehicle purchased by the Skagit Explorer Search and Rescue and donated to Skagit County has now passed its useful life. The Department of Emergency Management now desires to donate the vehicle back to the Explorer Search and Rescue so that they can use the proceeds from the sale of the vehicle to purchase additional equipment.

Commissioner Robinson motioned to adopt the resolution authorizing the sale of a 1976 GMC Suburban (ID #TKL266F517962) to the Skagit Explorer Search and Rescue Unit. Commissioner Wylie seconded the motion, which carried and was so ordered. (Resolution # 12933)

7) Miscellaneous.

A. Mr. Spahr explained that as a result of flooding, the Burlington Northern Railroad tracks east of Hoehn Road have been washed out in as many as 54 places. Mr. Spahr stated that verbal indications have been received from Burlington Northern that, due to the high cost, they have no intention to repair the line to the point that it can ever be used again. Written confirmation of this statement is being sought and Mr. Spahr plans to discuss the removal of stop signs located at the railroad crossings at a future session with the Board.

B. Mr. Don Slocum discussed with the Board a situation in which his driveway is rendered impassible in winter by runoff from the access road to his neighbor's plat.

CONSENT AGENDA.

Commissioner Robinson motioned to adopt the consent agenda of Monday, April 8, 1991, as submitted. Commissioner Wylie seconded the motion, which carried and was so ordered.

- Petitions for Property Tax Refund:

RECORD OF THE PROCEEDINGS

Monday, April 8, 1991

Page #4

1. Randall R. Hutchinson, 1412 McLean Road #21, Mount Vernon, WA 98273, in the amount of \$3.08, due to the destruction of the property affidavit. (002491)
 2. Cecil L. Johnson, 1451 B Bradley Road, Bow, WA 98232, in the amount of \$80.97, due to a senior citizen exemption. (002091)
 3. James Pell, 2242 Wicker Road #15, Sedro Woolley, WA 98284, in the amount of \$108.77, due to a senior citizen exemption. (002591)
 4. Richard B. McGuffin, 265 Barrell Springs Road, Bow, WA 98232, in the amount of \$34.91, due to a manifest error. (002691)
 5. Melvin A. Brown, Jr., 248 Old Hwy. 99 North, Burlington, WA 98233, in the amount of \$77.70, due to a senior citizen exemption. (002291)
- * Public Defender's Office:
6. Contract for Professional Services with Skagit Community Mental Health Center to evaluate clients as requested for the period from January 1, 1991, through December 31, 1991, at a rate of \$60 per hour. (Contract #00895)
 7. Contract for Professional Services with Beitler Investigations to investigate matters for cases at a rate of \$25 per hour for the period from January 1, 1991, through December 31, 1991. (Contract #00896)
 8. Contract for Professional Services with Michael Hlastalla to provide expert consultation for clients at a rate of \$400 for trial testimony, \$200 for cases canceled two weeks before trial, for the period from January 1, 1991, through December 31, 1991. (Contract #00897)
- * Health Department:
9. Agreement with Ray M. Nicola, M.D., to provide services as local health officer for Skagit County while Howard Leibrand is on Active Duty. Dr. Nicola is compensated at a rate of \$1,312 per month, with the total compensation not to exceed \$17,000 annually. The agreement remains in effect from January 1, 1991 through December 31, 1991. (Contract #00898)
 10. Annual AIDS grant from Region 3 AIDS Service Network based in Snohomish County. Term of agreement is from January 1, 1991, through December 31, 1991. Total amount of grant is \$86,235.00. (Contract #00899)
- * Commissioners' Office:
11. Resolution appointing Peg Rees Putnam to Developmental Disabilities Administrative Board, per recommendation of Joann Angevine, Human Services Department Director. (Resolution # 12934)
 12. Resolution appointing Nancy Dody to Substance Abuse Administrative Board, per recommendation of Joann Angevine, Human Services Department Director. (Resolution # 12935)
 13. Resolution appointing Wendy Brown to Mental Health Advisory Board, per recommendation of

RECORD OF THE PROCEEDINGS

Monday, April 8, 1991

Page #5

Joann Angevine, Human Services Department Director. (Contract #12936)

14. Record of the Proceedings from Tuesday, March 26, 1991.
15. Record of the Proceedings from Monday, April 1, 1991.
16. Record of the Proceedings from Tuesday, April 2, 1991.

MISCELLANEOUS ITEMS.

- A. Commissioner Wylie motioned to appoint Commissioner Robinson her alternate for her representation on the Northwest Air Pollution Authority Board. Commissioner Robinson seconded the motion, which carried and was so ordered.
- 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, April 8, 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) Warrant #66503 through #66876 (Vouchers #103392 through #103934) in the amount of \$576,440.76. Transmittal #C15-91.

PROCLAMATION - SKAGIT COUNTY LAW DAY - MAY 1, 1991.

Commissioner Robinson motioned to proclaim May 1, 1991, Law Day in Skagit County. Commissioner Wylie seconded the motion, which carried and was so ordered.

DISCUSSION - SALE OF WEEK HARVESTER.

Due to Chairman Vaux's absence, this item was rescheduled.

MISCELLANEOUS ITEMS.

- A. Mike Woodmansee, Budget/Finance Director, explained that during the 1990 flooding emergency, 16 cargo nets were borrowed from the U.S. Department of Interior to fly cargo loads of filled sandbags to unreachable levees. Because of their intense use, 9 of the 16 nets were damaged beyond repair and the U.S. Department of Interior is asking for reimbursement for the damaged nets.

Commissioner Robinson motioned to adopt the resolution approving either reimbursement in the amount of \$6,921 plus tax to the U.S. Department of Interior for nine damaged cargo nets, or purchase of the nine damaged nets for delivery to the Mount Rainier National Park, whichever the Department decides. Commissioner Wylie seconded the motion, which carried and was so ordered. (Resolution # 12937)

- B. The Board approved for signature an agreement with employee Lewis Bogan, a computer technician with the Data Processing Department, to pay for and allow leave for courses necessary to certify him as a Novelle Netware Engineer. Lewis Bogan agrees to reimburse the County for 50% of the costs of the training should he leave the County's employ between June 1, 1992, and May 31, 1993.

(Contract #00900)

PUBLIC MEETING - DRAINAGE AND FLOOD CONTROL.

The Board convened at the Sedro Woolley Senior Center, 714 State Street, Sedro Woolley, for a public meeting the purpose of which was to present a proposal for the formation of a county-wide drainage utility, and to gather public opinion on the proposal. Approximately 60 people attended.

Commissioner Wylie introduced Mark Spahr, Public Works Director, and Dave Brookings, Flood Control Engineer.

Mr. Brookings reviewed drainage and flooding issues, beginning in the far eastern reaches of the County and extending westward to Fidalgo Island. He then reviewed the revenues available for flood and drainage improvements and maintenance of flood and drainage facilities. Twelve dike districts and 13 drainage districts produce revenues through taxes in amounts from \$6,000 to \$35,000 annually to address the dike and drainage facilities in their respective areas. Nine sub-flood control zones, for which the Board of County Commissioners acts as administrators, also produce revenues through taxes to address flood and drainage issues in their respective areas. The county-wide drainage utility would respect the role these districts play in flood and drainage control, and would not disturb their functions. The County Road Fund allots \$240,000 for drainage maintenance necessary to protect County Roads and is applied to projects outside the perimeter of the roads. The River Improvement Fund provides \$20,000 which is apportioned to the dike, drainage and sub-flood control districts through a grant program. One person, Mr. Brookings, makes up the staff of the Flood Control Division.

Mr. Spahr reviewed the components necessary to a comprehensive drainage program. Planning and studies should include the following steps:

- identify issues and solutions
- clarify jurisdictional roles
- develop a system to evaluate and prioritize projects
- identify maintenance needs
- facilitate compliance with Department of Ecology regulations
- set appropriate fees

Mr. Spahr explained that the staff has reviewed ways in which to fund this study and has the following options:

- sub-flood control zones and diking and drainage districts to cover the entire County. Does not deal with regional issues, but does compel everyone to participate.
- River Improvement Fund raised by a county-wide vote to exceed tax limit.
- Mitigation fees. These cannot alone provide a solution to water problems, as they can be used only to benefit whatever development pays them.
- Federal and State grants. These require matching funds of up to \$0.50 on each dollar raised through grant applications.
- County-wide drainage utility.

Mr. Spahr reviewed the State law pertaining to the County-wide drainage utility, which is being recommended as the option to pursue. The County-wide drainage utility can be formed by a vote of the Board of Commissioners. Initial assessments would fund the drainage study. The study would then identify how assessments should be made to fund future construction and maintenance projects based on the land

RECORD OF THE PROCEEDINGS

Monday, April 8, 1991

Page #7

use activity on the property. An initial assessment of \$10.00 per parcel has been suggested.

Finally, Mr. Brookings reviewed a timeline for planning and implementation.

The audience was then given an opportunity to comment.

Stu Ernst, 2581 Minkler Road, Sedro Woolley, stated that the Department of Ecology is considering a requirement that entities must pre-treat storm water before it enters sewage treatment plants.

Darrel Kerns, 701 Jones Road, Sedro Woolley, stated that drainage problems effect his driveway annually during heavy rains. The City directs him to see relief from the diking district and the district refers him back to the city. He did not comment on the drainage utility, but wanted something done about his driveway.

Pete Voss, 863 Peavey Road, Sedro Woolley, stated that he is a tenant on a 55 acre dairy and speaks on behalf of his landlord, who is elderly and unable to attend. His farm is located near Red Creek. He complained that some of his property is still under water and it seems to be a reservoir for drainage. He appeared to be seeking an immediate answer to his problems, and was not responsive to Commissioner Wylie's assurances.

Don Ambrose, 2803 Lyman-Hamilton Road, Sedro Woolley (near Child's Creek), stated that flooding has been a problem on his property since 1983. He was flooded out three times this last winter. He was willing to support county-wide assessment for drainage measures, but felt that many problems could be solved simply with a backhoe. He also was concerned that in a county-wide drainage plan, small projects may take a back seat to big projects. He was also concerned that the Department of Fisheries and Department of Transportation would be difficult to work with.

Clarence Hudson, stated that he is within a "flood district" and pays an assessment, but is not getting any service for his money. He believed everyone should pay, but not for continued increases in the assessment amounts.

Barbara Austin, 1381 Austin lane, Mount Vernon, a resident of Drainage District #21, stated that she pays \$700 per year in drainage taxes on her 100 acre parcel. She believes that Skagit County's weather pattern has been undergoing changes since 1975. She pointed out that Clear Lake retains excess water for the valley. Mrs. Austin felt the County should not tax single family homes within the drainage district, but should tax land. She was in favor of a tax based on usage.

Kathy Sweeny, a two year resident of South Third Street in Sedro Woolley, showed photographs of her flooded farmland. She was very unhappy that it would take three years before the construction phase of the plan would begin.

Matt Mitchell, 1958 LaFayette Road, Sedro Woolley, stated that he is a new homeowner, who built his home at the appropriate height for construction in the floodplain; however, as the river deposits silt, the level of the floodplain continues to rise, and now his house is in jeopardy of flooding. He favored dredging the river, and was in favor of a County-wide drainage utility if it would help.

Dave Brookings stated that he has considered dredging the river, but is not convinced it would help, and does not want to expend the enormous amount of money it would cost to dredge the river without knowing the results would be beneficial.

Leonard Halvorsen, 1157 Sterling Road, Sedro Woolley, accused the County of purposely flooding his

RECORD OF THE PROCEEDINGS

Monday, April 8, 1991

Page #8

property when an emergency dike was built along Highway 20 between Sedro Woolley and Burlington. He wished to blame someone, and insisted on knowing who had authorized the dike.

Mr. Spahr admitted to giving authorization for the construction of the dike in order to save the City of Burlington from a perceived danger of a major flood as evidenced by abnormally high river gauge readings..

Tony Tril, 1918 LaFayette Road, Sedro Woolley, claimed to have seen County crews dumping creek dredging spoils into the river. He suggested that jail crews work on small drainage projects. When questioned by Commissioner Wylie, he said he was in favor of the County-wide drainage utility.

Don Bockelman, 3863 South Skagit Hwy., Sedro Woolley, objected to the County Commissioners acting as executives of the drainage utility, and felt that an independent board should act as administrators. He also felt that the utility should benefit all residents equally, and that the plan should be approved by a vote of the people.

Roger Bus, 2260 Ranch Road, was in favor of the drainage utility, if he would get response when it was needed.

Anne Simmons, 865 Peterson Road, was in favor of inspections of new developments for compliance to their drainage plans, and was also in favor of dredging the river.

Paul Vance of Burlington recommended Don Bockelman for the citizens advisory committee formulated to assist with the drainage planning.

Red Norris stated that the Wild and Scenic Rivers Act, when it was passed, allotted \$1.7 million for "work" on the river. He thought the County should pursue some of those funds. He also felt that responsible State agencies should take care of waterway maintenance, but pointed out that they act as obstructionists when private individuals want to perform maintenance at their own expense.

Carl Romvedt of Fruitdale Road was in favor of the County-wide drainage utility.

Chuck Truman, 2998 Hwy 20, Lyman, was in favor of the utility, but questioned whether it would be used as a method to support responsible land use planning.

Both Commissioner Wylie and Dave Brookings agreed that it would be.

Bill Reinard, Alta Vista Drive, supported Mr. Truman's comments regarding land use planning. He thought the plan would protect future builders from building in dangerous areas. He agreed with the need for a drainage plan and that conversion of land to higher uses should be taxed.

Doug Wood, 812 Orth Way, Sedro Woolley, stated that his home is located in an area with a high water table, and that he is also located in a sub-flood control zone within the City of Sedro Woolley. He asked whether the study would encompass the cities and would help with their problems, such as the high water table.

Mr. Brookings stated that the County has authorized funds for the Sedro Woolley sub-flood control zone to develop a study to plan for a storm sewer system. The voters within the zone will be approached in January to approve or deny the construction of the system.

Loreen Hansen, a resident of South Third Street, Sedro Woolley, complained that the County's road causes

RECORD OF THE PROCEEDINGS

Monday, April 8, 1991

Page #9

her flooding problems because the culverts under the road have been removed and the slough behind the Sedro Woolley Lumber mill was filled in. When questioned by Commissioner Wylie, Mrs. Hanson stated that if everyone else wants it, she will agree to a County-wide drainage utility.

Ed Mason, 1063 Collins Road, stated that both his home and business were flooded this year. He indicated that he was in favor of the utility, and hoped the Fruitdale Road storm sewer project alluded to by Mr. Brookings in his presentation would be done early on.

Jim Parker, 4561-B Hwy. 20, (near Jackman Creek) was in favor of the utility if a fair percentage of the funding is spent in the upper vally. He asked the County to approve the dredging of Jackman Creek by a private contractor, Dewey Hyatt, who has expressed a willingness to do so.

C.C. Cobert of Marblemount, asked if the drainage utility would just be one more entity to seek permits from.

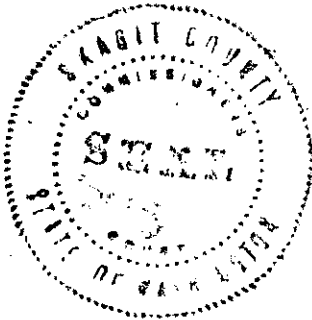
Bob Perigo, 3500 Hwy. 20, was concerned that the Department of Ecology, Department of Fisheries, and other State agencies would not be supportive of the plan, and would try to get part of the tax monies.

Mr. Voss spoke again when all others had had an opportunity to speak, and had to be interrupted by Commissioner Wylie and asked to meet at another time with County officials to air his complaints.

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

W. W. Vaux, Chairman

Robby Robinson

Robby Robinson, Commissioner

Ruth Wylie

Ruth Wylie, Commissioner

ATTEST:

Stephanie Wood

Stephanie Wood, Clerk
Skagit County Board of Commissioners