

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

Monday December 30, 1991:

- 10:00 a.m. - 11:00 a.m. Public Works Department - Rich Medved, Director:
- 1) Public Hearing - Vacation of a Portion of County Road Right-of-Way Known as Fish Hatchery Lane.
 - 2) Discussion - Erika Lane.
 - 3) Presentation - Radar Reader Board - Neighborhood Traffic Safety Watch Program.
 - 4) Signature - Resolution Amending Declaration of Sole Source Replacement Components at Resource Recovery Facility.
 - 5) Miscellaneous.

CONSENT AGENDA.

MISCELLANEOUS ITEMS.

- 1:30 p.m. - 2:00 p.m. 1) Public Hearing - Supplemental Budgets, Various Funds
2) Bid Opening - Two New 1992 Small Station Wagons.
3) Bid Opening - One New Console Copier Machine.
- 2:00 p.m. - 2:30 p.m. Department of Planning and Community Development - Scott Kirkpatrick,
Director:
- 1) Contract for Signature.
 - 2) Signature - Resolution Extending Interim Control on Building Permits Outside of Fire Protection Districts.
- 2:30 p.m. - 4:00 p.m. Executive Session - Personnel and Litigation.

The Skagit County Board of Commissioners met in regular session on Monday, December 30, 1991, with Commissioners W. W. Vaux, Robby Robinson and Ruth Wylie present.

PUBLIC WORKS DEPARTMENT - RICH MEDVED, DIRECTOR:

- 1) Public Hearing - Vacation of a Portion of County Road Right-of-Way Known as Fish Hatchery Lane.

Linda Johnson reported. She reviewed with the Board the agreement entered into December 7, 1966 with the Department of Fisheries relative to vacation of a portion of a County road known as Fish Hatchery Lane.

Commissioner Wylie motioned to close the public hearing. Commissioner Robinson seconded the motion, which passed unanimously.

Commissioner Wylie motioned to approve the vacation of a portion of Fish Hatchery Lane (also known as O'Brien Road #0872) in exchange for right-of-way for the realignment of the Rockport Cascade Road as set forth in the Engineer's Report. Also, that Skagit County agrees to retain and continue to maintain that portion of Fish Hatchery Lane from the intersection with the Rockport Cascade Road to the State Department of Fisheries property boundary line; a distance of approximately 1300 feet. Commissioner Robinson seconded the motion, which passed unanimously.

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the holes until the roadway could be surveyed and it could be determined how much right-of-way would be needed from property owners. The holes were patched, the survey was done and estimates have been put together. Also, the Public Works Department has met with the residents. An impasse has been reached and, therefore, the matter has been brought to the Board for resolution.

Mr. Medved stated that the minutes of the previous year were reviewed to see what the Board had actually directed and found that this had been accomplished. There are some differences of opinion as to what was said and what has been done.

Mrs. Barteo expressed concern about the County continuing to allow homes to be built in that area. She stressed the need for proper drainage. She also provided to the Board a copy of a letter stating the Board recommendations in 1990.

In response to a question from Commissioner Wylie, Mr. Medved advised that drainage work on the County right-of-way can be done this spring.

There was further discussion regarding drainage problems and the responsibility of the County.

Allen Roner, a property owner in the area, reviewed a map with the Board. In terms of a culvert there he suggested that maybe the County should look at intercepting this water on the County road. The water going north could be going west.

Commissioner Vaux stated that in his opinion, if the problem is going to be resolved, the County is going to have to go in there and put a drainage system in to get the water out. The County needs to get the right-of-way and cure the drainage problems and put gravel on the road.

Commissioner Robinson said it is his understanding the property on the south side where the water is coming from belongs to someone who hasn't made an agreement with the County as yet. Audience members felt there was no problem in this regard.

Commissioner Wylie expressed concern about setting a precedent. She would like to see the County go back in and restore the gravel road. She asked what the costs would be for putting ditching down the south side of that road. Ms. Johnson stated that Robin Larue has estimated that the cost would be about \$17,000 for the County to restore the ditching and road surface. Commissioner Wylie said she would like to see the road restored back to gravel and to see a ditch run alongside. This should be done with the participation of the land owners as it is still a private road. She suggested the County participate 50/50 in this project.

After further discussion the following recommendation was made:

The right-of-way along Frances Road should be maintained and properly ditched and the existing BST surface pulverized and returned to gravel. A ditch should be established along the south side of the existing BST surface. The cost is yet to be determined. The cost may be spread between the County and the neighbors in some equitable fashion. Once the road is restored it will be up to the property owners to maintain the road and ditch.

Everyone present was in agreement with this recommendation, which Dr. Studley verbally reviewed.

Mr. Medved will get further information in terms of estimates and also a legal opinion and report back to the Board in two weeks. Linda Johnson will advise the residents of Erika Lane of the exact date and time for

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this report.

3) Presentation - Radar Reader Board - Neighborhood Traffic Safety Watch Program

Don McKeehen, Traffic Safety Division, reported. He advised that the administration of the new Radar Reader Board will be the responsibility of the Public Works Department. It will be used as an integral part of the Neighborhood Traffic Safety Watch Program.

Ed Hawes, Traffic Safety Division, talked about how the Reader Board would be used as a tool in the overall project of neighborhood traffic management and safety for Skagit County roads. It will enable the residents to get out and participate in the solution. This is a small step into a program that in the next couple of years will show, hopefully, some real positive results.

Mr. McKeehen distributed to the Board the loan agreement that people in the program will sign and copies of the form that will be used by participants to check off speeds as people go by.

Chief Hunter and Deputy Stuben of the Sheriff's Department demonstrated the Radar Reader Board. Chief Hunter stated that it is the people who live in the neighborhoods who are speeding. This will be an effective tool for awareness. Mr. McKeehen said the cost of the board is \$2,000. Chief Hunter said that it will more than pay for itself. Mr. McKeehen added that the program has been cleared with Dave Fleming, the County Risk Manager.

4) Signature - Resolution Amending Declaration of Sole Source Replacement Components at Resource Recovery Facility

Don King, Plant Manager, Incinerator, reported to the Board. He noted that many of the problems that have been experienced have been as a result of power outages.

Commissioner Wylie motioned to approve for signature a resolution, "Amendment of Declaration of Sole Source Replacement Components at the Resource Recovery Facility" listing suppliers of component items as a sole source for repair or replacement. It was further resolved that the competitive bidding procedures outlined in RCW 36.32.250 and Resolution No. 12172 need not be followed with respect to the items listed in the resolution. It was further resolved that this declaration does not preclude the County from pursuing alternative methods or designs to repair or replace major components or systems at the facility if the County's best interests are served thereby. Commissioner Robinson seconded the motion, which passed unanimously. (**Resolution #14176**)

CONSENT AGENDA.

* Hearing Examiner's Office:

1. Open Space Taxation Agreement - Benjamin Tarcher. (Previously approved by Resolution #12904)

* Commissioners' Office:

2. Record of the Proceedings from Monday, December 23, 1991.

MISCELLANEOUS ITEMS.

- A. Tim Holloran, Director, Senior Services, presented an agreement to the Board for review and approval. The Board approved for signature an agreement between Skagit County and Food Service Management Company for Off-Project Meal Preparation. (Contract #01181)

PUBLIC HEARING - SUPPLEMENTAL BUDGETS, VARIOUS FUNDS

Chairman Vaux waived the reading of the notice of public hearing, as published in The Skagit Argus.

A resolution was presented which if adopted would authorize a supplemental budget in the amount of \$687,570 to the Current Expense Fund, \$1,310,000 to the County Road Fund, \$8,000 to the Blanchard Sub-Flood Control Fund, and \$250,000 to the Equipment Rental Fund. The source of these funds is property tax, private timber harvest tax, federal forest yield, ferry deficit reimbursement, ferry tolls, and forest board yield which was in excess of the estimates made at the beginning of the year. Sales of road materials also provided revenues, and intragovernmental services were paid by the road fund.

Don Bockelman, a Day Creek resident, and Dan O'Donnell, Mayor-Elect for the Town of LaConner, both questioned the sources and allocations of these revenues. A copier salesman present for a bid opening also asked questions regarding the allocation to the Blanchard Sub-Flood Control Zone. Mr. Bockelman asked that these excess revenues be targeted for flood facilities improvement.

Hearing no further public comment, Commissioner Wylie motioned to close the public hearing. Commissioner Robinson seconded the motion, which passed unanimously. (Resolution # 14177)

BID OPENING - TWO NEW 1992 SMALL STATION WAGONS.

Chairman Vaux waived the reading of the notice of call for bids and the following bid was received and opened:

Skagit Ford
P.O. Box 1377
Mount Vernon, WA 98273

First Proposal: 1992 Ford Escort - \$22,301.74
Second Proposal: 1992 Ford Escort - \$22,976.84

The Public Works Department will review the bid and return at a later date with a recommendation for award.

BID OPENING - ONE NEW CONSOLE COPIER MACHINE.

Chairman Vaux waived the reading of the notice of call for bids and the following bid was received and opened:

- 1) Oasys
P.O. Box 1111, 1320 Riverside Drive
Mount Vernon, WA 98273

Unit Bid: Minolta EP8601

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Option A (without trade-in) \$23,760.73
Option B (with trade-in) \$18,423.35

- 2) Xerox Corporation
1619 S. 2nd Street
Mount Vernon, WA 98273

Unit Bid: Xerox 5065 Copier

Option A (without trade-in) \$22,575.00
Option B (with trade-in) \$19,887.50

- 3) Action Copiers, Inc.
1524 Memorial Highway
Mount Vernon, WA 98273

Unit Bid: Mita 7085

Option A (without trade-in) \$19,681.50
Option B (with trade-in) \$18,599.58

The Public Works Department will review the bids received and return at a later date with a recommendation for award.

MISCELLANEOUS ITEMS.

- A. Commissioner Wylie motioned to adopt the resolution authorizing a budget line item change in the amount of \$300 to the Election Services Fund, \$1,000 to the Senior Services Fund, \$4,600 to the Drug Enforcement Reserve Fund, and \$115,000 to the Solid Waste Operating Fund. Commissioner Robinson seconded the motion, which passed unanimously. (Resolution #14178)
- 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, December 30, 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 #76419 through #76876 (Vouchers #116582 through #117279) in the amount of \$892,102.37. Transmittal #C-54-91.
- 2) Warrants #83552 through #83683 (Vouchers #83552 through #83683) in the amount of \$166,155.72. Transmittal #R-31-91.

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT - SCOTT KIRKPATRICK, DIRECTOR:

- 1) Contract for Signature.

Kraig Olason presented a contract for signature which, if approved, would pay for consulting services provided by Geoengineers on Jones Canyon, while under a three-party agreement between Skagit County, Parametrix, and San Juan-Fidalgo Holding Company. That agreement stipulated that Skagit County would

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contract with Parametrix, a consulting firm, to provide work on an environmental impact statement, and San Juan-Fidalgo Holding Company, which would benefit from the EIS review, being the property owners of a proposed development, would reimburse Skagit County for this work. Parametrix had subcontracted a portion of the work to Geoengineers. In the mean time, San Juan-Fidalgo Holding Company has filed for bankruptcy.

Mr. Olason suggested that the Board sign the contract with Geoengineers, agreeing to pay their bill, and seek remuneration through bankruptcy proceedings against San Juan-Fidalgo Holding Company.

The Board declined to sign the agreement, asking instead that Mr. Kirkpatrick present the contract again next week with an explanation as to why the County would benefit from this arrangement.

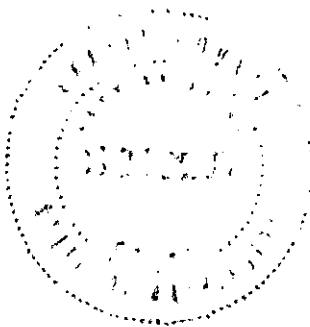
- 2) Signature - Resolution Extending Interim Control on Building Permits Outside of Fire Protection Districts.

The Board approved for signature a resolution extending the effective date for interim controls addressing the non-issuance of building permits for residential and/or commercial structures outside of a fire district. (Resolution # 14179)

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 *Comm*

Robby Robinson
Robby Robinson, Commissioner *CH.*

Ruth Wylie
Ruth Wylie, Commissioner

ATTEST:

Stephanie Wood
Stephanie Wood, Clerk
Skagit County Board of Commissioners