

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY COMMISSIONERS**

Monday, April 6, 1992:

Flag Salute.

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

Public Works Department - Rich Medved, Director:

- 1) Public Hearing - Vacation of County Right-of-Way Sauk Valley Road.
- 2) Discussion - Silver Creek Bridge Detour Route.
- 3) Resolution - Establishing C.R.P. Construction Funds - Seaway Hollow.
- 4) Resolution - Establishing C.R.P. Construction Funds - Finch Street.
- 5) Resolution - C.R.P. Update Construction Funds South Texas Road Railroad Crossing.
- 6) Resolution - One Day Road Closure - Gibraltar Road.
- 7) Signature - Hazard Elimination System Federal Aid Project Funds - Cook Road/Old 99 Intersection.
- 8) Resolution - State Turnback Establishment of Two County Roads.
- 9) Request for Proposals - Material Recovery Facility Construction and Operation Grant.
- 10) Signature - Out-of-State Travel Request.
- 11) Miscellaneous.

CONSENT AGENDA.

MISCELLANEOUS ITEMS.

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

Bid Award - County Legal Printing.

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

Public Hearing - Resolution of Intent to Create an R.I.D. - Prairie Lane.

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

Hearing Examiner Recommendation - Howard Bryson Agricultural Variance, #AGV-90-014, 378 Upper Samish Road, Sedro Woolley.

3:30 p.m. - 4:30 p.m.

Executive Session - Land Acquisition and Personnel.

The Skagit County Board of Commissioners met in regular session on Monday, April 6, 1992, with Commissioners Robby Robinson, Ruth Wylie, and W. W. Vaux present.

PUBLIC WORKS DEPARTMENT - RICH MEDVED, DIRECTOR:

- 1) Public Hearing - Vacation of County Right-of-Way Sauk Valley Road.

Linda Johnson presented a vicinity map indicating the portions of County road/right-of-way requested to be vacated. Ms. Johnson stated that the original right-of-way has been washed away or abandoned, and that there are no easements. The request is to revert the right-of-way back to the original property owners. Those owners are: Crown Pacific Washington, Ltd., 121 SW Morrison St.900, Portland, OR; Mr. Henry Vognild, 6813 38th Ave. NE, Seattle, WA; Darrell and Judith Shaffer, 5013 Sauk Valley Rd., Concrete, WA; and Skagit County.

Chairman Robinson called for public comment.

Commissioner Vaux motioned, upon hearing no comment from the public, to close the public hearing. Commissioner Wylie seconded the motion, which carried unanimously.

Commissioner Vaux motioned to vacated the County right-of-way in Section 2, Township 34 North, Range 9 East, W.M., those portions of road rights-of-way deeded to the County for the original location of a road known as Sauk Valley Road #XCII, now relocated and known as the Concrete Sauk Valley Road #0800, said original rights-of-way are now washed and/or abandoned, and are specifically described in deeds recorded and on file in the Auditor's Office, Skagit County, Washington under the following numbers: AF#178529, AF#84313, AF#165238, AF#84192, AF#83762, AF#84190. Commissioner Wylie seconded the motion which carried unanimously.

2) Discussion - Silver Creek Bridge Detour Route.

Robin LaRue, Assistant Director Public Works, addressed the Board regarding options for the Silver Creek Bridge Detour Route. Mr. LaRue requested the contractor, One Way Construction, to provide the costs to construct a detour road as follows:

One Lane, 12' wide, 500' long	
Option One	
Temporary Bridge, 47' Long	\$14,322.00
Option Two	
3 - 24" Culverts	\$12,096.00
Signal Lights	\$20 - \$25,000.00
Two Lane, 24' Wide, 500' Long	
Temporary Bridge, 47' Long	\$26,996.00

Mr. LaRue recommended the construction of a temporary two lane bridge for the detour route. The original contract for the Alger/Cain Lake Road, Silver Creek Bridge project is \$282,755.00. The cost of the temporary bridge is approximately 9% of the original contract amount. The project will take approximately three months to complete.

Commissioner Wylie asked if emergency response facilities had been contacted regarding the road project. Mr. LaRue replied that he had contacted Whatcom County, and the Skagit County Sheriff's Office. Mr. LaRue stated that there were some concerns expressed about a detour route by way of Butler Creek Road, but haven't been requested not to use that option.

Kim Sigfusson, a resident of the Alger/Cain Lake Road, addressed the Board stating that a detour route around Butler Creek Road is approximately four and a half or five miles. Ms. Sigfusson requested that the Board decide on a two lane temporary bridge for a detour route. She stated that the Alger Fire Department is concerned about response time in emergencies, as the Butler Creek Road is narrow and winding. She stated that truck traffic that normally runs on the Alger/Cain Lake Road would be hazardous on the Butler Creek Road also.

Commissioner Wylie asked what precautions will be taken while the temporary bridge is being constructed.

Mr. LaRue stated that there will be many signs leading up to the site designating narrow road way, and changes in road characteristics. There will also be barricades with flashing lights.

Commissioner Vaux motioned to build a temporary, two lane bridge on Silver Creek to detour traffic on the Alger/Cain Lake Road during construction.

Commissioner Wylie seconded the motion, which carried unanimously.

3) Resolution - Establishing C.R.P. Construction Funds - Seaway Hollow.

Mr. LaRue presented for adoption, a resolution establishing a County Road Project for Seaway Hollow, #1006, on Guemes Island. Mr. LaRue stated that this is a small road off Section Avenue that is one of the last gravel roads on Guemes. The County Road Department has to spend a considerable amount of time to maintain this road due to the transport of a grader to the site. This project will be to change the road surface from gravel to oil. The project is to be completed using County forces in the 1992 construction season.

Commissioner Wylie motioned to adopt the resolution approving County Road Project No. 1006-1, to widen the roadway to a uniform width of 22 feet, place 2 inches of crushed surfacing and construct 2 lifts of Bituminous Surface Treatment, with the appropriation of \$14,515.00 from the officially adopted Road Fund budget based on the County Engineer's estimate.

Commissioner Vaux seconded the motion, which carried unanimously. (Resolution #14279).

4) Resolution - Establishing C.R.P. Construction Funds - Finch Street.

Mr. LaRue presented for adoption a resolution creating a County Road Project for Finch Street, #3135-1. Mr. LaRue stated that this is a small gravel street in Bayview that needs to be resurfaced to Bituminous Surface Treatment.

Commissioner Vaux motioned to adopt the resolution approving County Road Project #3135-1, to widen the roadway to 22 feet, place 2 inches of crushed surfacing, and construct 2 lifts of Bituminous Surface Treatment, with the appropriation of \$3,169.00 from the officially adopted Road Fund budget based on the County Engineer's estimate.

Commissioner Wylie seconded the motion, which carried unanimously. (Resolution #14280).

5) Resolution - C.R.P. Update Construction Funds South Texas Road Railroad Crossing.

Mr. LaRue presented for adoption, a resolution revising County Road Project #1720-2, to provide funds for the installation of automatic flashing light traffic control devices with gates and motion sensing devices on the South Texas Road #1720. Mr. LaRue stated that the County will be responsible for 10% of the cost and Washington State Department of Transportation will be responsible for 90%.

Commissioner Vaux motioned to approved the resolution revising County Road Project #1720-2 for the purpose of providing construction funds for the installation of automatic flashing light traffic control devices with gates and motion sensing devices on the South Texas Road #1720, with the appropriation from the officially adopted Road Fund budget and based on the County Engineer's estimate in the amount of \$83,218.00.

Commissioner Wylie seconded the motion, which carried unanimously. (Resolution #14281).

6) Resolution - One Day Road Closure - Gibraltar Road.

Mr. LaRue presented a resolution for adoption for the closure of Gibraltar Road #1361, in conjunction with drainage work to be done. The road will be cut approximately 3 or 4 feet east of the Salmon Beach Road in order to upgrade to larger drainage pipe. The road closure will not cut residents off from their homes, there will be an alternate access route.

Commissioner Vaux motioned to approve the resolution closing Gibraltar Road on Tuesday, April 14, 1992, between the hours of 7:00 a.m. and 4:00 p.m. Commissioner Wylie seconded the motion, which carried unanimously. (Resolution #14282).

7) Signature - Hazard Elimination System Federal Aid Project Funds - Cook Road/Old 99 Intersection.

The Board signed a Washington State Department of Transportation (WSDOT) Federal Aid Project Prospectus requesting the consideration of funds for \$170,000 to install signals at the intersection of Cook Road and Old Highway 99 as presented by Doug Barnet, County Engineer.

Mr. Barnet displayed a vicinity map showing the area and proposed improvements. Mr. Barnet stated that over the last two years, there have been 28 accidents at this intersection, the majority of which were caused from vehicles turning left onto Cook Road from Old 99 North. The proposed improvements would include: widening Cook Road to provide a left turn lane; widening Old 99 to provide 12 foot lanes; and installation of an eight phase signalization of intersection coordinated with Burlington Northern railroad tracks. The Federal funding will cover 90% of the costs, the County will be responsible for 10%, approximately \$17,000. Mr. Barnet stated that the project will be designed in the fall of 1992, and construction will be in the summer of 1993.

8) Resolution - State Turnback Establishment of Two County Roads.

Mr. Barnet presented to the Board a resolution regarding State turnback establishing two County roads. Mr. Barnet stated that as of April 1, 1992, at 12:01 a.m., the County received State Route 237 (Farm-to-Market Road) from milepost 0.0 to 9.7, and State Route 530, between Stanwood and Conway from milepost 0.00 to 3.37. These highways have been turned back into the County's full responsibility and control. These roads shall now be known as County Road No. 8009 (S.R.530), and County Road No. 3101 (S.R. 237).

Commissioner Wylie motioned to adopt the resolution establishing S. R. 530 and S. R. 237 as County Roads numbers 8009 and 3101. Commissioner Vaux seconded the motion, which carried unanimously. (Resolution #14238).

9) Request for Proposals - Material Recovery Facility Construction and Operation Grant.

Mr. LaRue requested that this item be postponed until a later date.

10) Signature - Out-of-State Travel Request.

The Board signed an out-of-state travel request for Don McKeehan to attend a conference on child safety restraint systems; and the annual Lifesavers Conference in Denver, Colorado, from April 11 through 15, 1992. There will be no expense to the County, the Washington State Traffic Safety Commission is paying for all expenses.

11) Miscellaneous.

Mr. LaRue presented an update on the Tulip Festival traffic. Mr. LaRue stated that traffic was being directed at intersections and no major problems occurred. McLean, LaConner/Whitney, and Fir Island Roads had the majority of traffic which moved slowly, but kept moving. The farmers are beginning to top the tulips now, so the biggest weekend should be past. Mr. LaRue stated that he will be contacting the farmers to find out how many fields will still have flowers.

Commissioner Wylie stated that having a Deputy on Fir Island helped to keep the traffic moving.

Chairman Robinson asked if there were any accidents or emergencies during the weekend.

Mr. LaRue stated that he was not aware of any.

CONSENT AGENDA.

* Department of Planning and Community Development:

1. Signature - Resolution approving the Hearing Examiners Recommendation approving the Timber Open Space application of Leon Meyers, subject to conditions recommended by the Hearing Examiner and the Planning Staff. (Resolution #14284).

* Public Works Department:

2. Signature - Final Cost Records - Garden of Eden Road #6344.

* Emergency Management:

3. Out-of-State Travel Request for Mark Watkinson to attend Civil Defense Systems, Programs, and Policies Course in Corvallis, Oregon, April 20 - 24, 1992. Travel expense requested \$205.00.

* Juvenile Probation:

4. Contract for Professional Services with Shirley Hikogawa, MSW, 321 West Washington, Suite 322, Mount Vernon, WA, to provide Psychologicals, evaluations, counseling, outpatient treatment and other services within the Contractor's field of expertise for selected juveniles as referred by the County. Contract shall commence February 1, 1992, and continue until terminated. Compensation shall be at the rate of \$60.00 per hour. (Contract #01294).

MISCELLANEOUS ITEMS.

- 1) 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 6, 1992, the Board, by a majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

- A) Warrants #90657 through #90766 (Vouchers #90657 through #90766) in the amount of \$218,043.03. Transmittal #R7-90.
- B) Warrants #80248 through #80728 (Vouchers #2003518 through #2004141) in the amount of \$381,718.35. Transmittal #C14-92.

Commissioner Vaux's absence was excused for the following items.

BID AWARD - COUNTY LEGAL PRINTING.

Stephanie Wood, Administrative Coordinator, presented to the Board a resolution awarding the bid for 1992-93 County Legal Printing to the Skagit Argus. Each bidder was asked to provide not only a price per column inch for publishing, but also was asked to typeset examples and list their publishing prices, so as to more adequately compare prices per column inch. Based on the bids received and reviewed the Skagit Argus was the lowest bidder.

Commissioner Wylie motioned to adopt the resolution awarding the bid for County Legal Printing to the Skagit Argus for the period of one year commencing July 1, 1992, and ending June 30, 1992. Chairman Robinson seconded the motion, which carried and was so ordered. (Resolution #14286).

PUBLIC HEARING - RESOLUTION OF INTENT TO CREATE AN R.I.D. - PRAIRIE LANE.

Steve Winter addressed the Board giving a brief history of the Prairie Lane Road Improvement District (RID). Mr. Winter stated that the petition was submitted two years ago. At that time, the Public Works Department verified the information and a rough estimate of the cost to create the RID was drafted. Mr. Winter submitted to the Board a handout of the new estimate that has been done following current road standards. Copies were provided for members of the public in attendance. The assessment estimate outlined the term, interest rate, right-of-way purchase, construction/engineering (including materials), and bond fees. Based on 34 lots, over a ten year period, the cost of the assessment per lot per year would be approximately \$1,430.00 for an asphalt surface, and \$1,127.00 for a B.S.T. surface. There should be no need for drainage easements if the properties perk. Mr. Winter stated that he doesn't expect the final estimate to vary from what he presented. Mr. Winter stated that if the petitioners wish to proceed with the RID process the next step is to adjust the boundaries.

Chairman Robinson called for public comment.

- Mr. Daniel Cooper, resident of Prairie Lane, addressed the Board. Mr. Cooper confirmed that the assessment is per lot per year for 10 years. He asked if there were copies of the original petitions available. He was directed to stop by the Public Works Department after the public hearing and Mr. Winter would get him a copy.

- Mr. David Lee, resident of Prairie Lane, addressed the Board. Mr. Lee felt that the unit costs for two inches of gravel base was too high.

- Mr. Winter stated that the prices shown on the engineer's estimate of costs were based on Skagit County specifications, and that on all recent jobs, the price had fallen between \$16.00 and \$18.00 per cubic yard. He also stated that these are not final costs and are estimated at a high range.

- Walter Hall, Director, Prairie Lane Association, addressed the Board. Mr. Hall stated that in the fall of 1989, the Association decided to petition the County for an RID. Mary Cherberg, the County employee responsible at that time, drew up an estimate of the road work and presented to the members of the Association. She had come up with a cost of \$68,804.00, which came out to approximately \$200 - \$300 per lot, which was a reasonable cost. Mr. Hall stated that Ms. Cherberg was excellent in her assistance and follow through on this project. Two years passed by the time he first spoke with Mr. Winter. Mr. Hall stated that the increase in assessment from \$68,000 to one quarter of a million dollars is a large increase. He felt that most of the cost is in gravel and grading. Mr. Hall has spoken with Associated Sand and Gravel, who have said that they can make a 12' x 2' asphalt road with gravel 3 feet on either side of the road for no more that \$90,000. Why are the County's estimates so high?

Mr. Hall continued, asking if one property owner does not donate right-of-way, then does the County have to buy the lot?

- Mr. LaRue stated that if one decides not to donate then the County will compensate at the fair market value of \$3,250.00 per acre.

- Mrs. Wagoner, 465 Prairie Lane, addressed the Board. Ms. Wagoner asked what the cost per month over the next 10 years breaks down to. She was answered by another member of the public that it would be a little over \$100.00 per month.

- Mr. LaRue stated that these are rough estimates.

- Mr. Winter stated that he wanted to be fair and show what the costs could be, so they are a high estimate or taken from recent costs from jobs that the County has done. Mr. Winter continued, saying that Ms. Cherberg did not include all the items on her assessment that he did.

- An unidentified member of the public asked if the County has any other RID's. The County does not.

- Mr. LaRue stated that forming an RID is an expensive process. A lot of developers choose to have roads in their developments to remain private roads in order to keep lot prices down.

- Mr. Walt Hall readdressed the Board. He question whether the County wants to assume the responsibility for this road.

Chairman Robinson responded that the County has no problem assuming responsibility, but it has to be according to County specifications.

- Mr. Hall asked if the County would be more inclined to take over a road in any specific circumstance over another.

- Mr. LaRue responded that the only way the County can take over the road is to be petitioned to, and the road has to be brought up to County standards.

- Mr. Hall stated that the Association spends approximately \$10,000 a year on rock for the road now. Maybe they can bring it up to County standards on their own.

- Mr. LaRue stated that Prairie Lane is now 20 feet wide, and the County requires 26 feet. This will require widening the ditches. At the time of a public hearing it would be reviewed for width and surface drainage. If it is okay, then it could be presented to the Board or further improvements requested.

- Mr. Roger Geisendorf addressed the Board. Mr. Geisendorf stated that a man from Seattle built the Prairie Lane development. The property owners were led to believe that the road met County standards. Mr. Geisendorf feels that they need help from the County. The Association has put a lot of time and money into the road.

- Commissioner Wylie stated that she understands that taxes are paid by the residents on Prairie Lane and they do not benefit from it in road maintenance. She stated that this is a private road that has never been accepted by the County. Commissioner Wylie questioned whether the Association has received a bid for the \$90,000 to pave the road.

- Mr. Hall replied that he had asked Mr. Hicks, Associated Sand and Gravel, what the best road he could give him for \$92,000.00 was. Mr. Hicks told him that he could lay 2" of crushed composite rock, 2 - 2" x 12 foot bands of asphalt, and 3" of gravel on the sides and stretching it he might bring it up to \$92,000.00, but was certain that he could do the job for 10% less than the County estimated.

Commissioner Wylie asked if Mr. Hicks is offering to do the job to code.

- Mr. Hall stated that it sounded pretty close.

- Commissioner Wylie suggested that the Association take out a loan.

- Mr. Hall replied that they have attempted, and no one will finance them.

- An unidentified member of the public stated that there are 32 lots being dealt with and that makes it hard to make a loan.

- Mr. Geisendorf stated that if everyone would pay it would be okay, but if even one didn't then there would be a problem.

- Chairman Robinson called for final comments.

- Mr. Bill Holstein stated that he thinks the County's assessments are much too high, and that the Association could do it themselves for \$65,000 and bring it to code.

Commissioner Wylie motioned to close the public hearing. Chairman Robinson seconded the motion, which carried and was so ordered.

Commissioner Wylie stated that the signing of the resolution is giving Public Works the direction to send notice to owners showing territorial extent, total cost estimates, assessment estimate, and notice of the public hearing to establish the RID.

Mr. LaRue stated that the information will be sent out to property owners fifteen days prior to the public hearing. The public hearing date has not been set at this time.

Chairman Robinson suggested that with the information the members of the Association received that they could check in to a method of bringing the road to code themselves.

Commissioner Wylie motioned to adopt a Resolution of Intent to create an RID for Prairie Lane. Chairman Robinson seconded the motion, which carried and was so ordered.

Commissioner Vaux was present for the remainder of the days sessions.

HEARING EXAMINER RECOMMENDATION - HOWARD BRYSON AGRICULTURAL VARIANCE, #AGV-90-014, 378 UPPER SAMISH ROAD, SEDRO WOOLLEY.

Mr. Bryson owns approximately 3.1 acres of agriculturally zoned property at 378 Upper Skagit Road in Sedro Woolley. He would like to modify a previous variance which he received in July of 1990. This variance allowed Mr. Bryson to subdivide his 3.1 acre parcel in half with the condition that he short plat. Mr. Bryson intends to divide the property in half, have his son reside in the existing residence, and place a modular home on the other half for he and his wife. The request at this time is to modify the variance to exclude the short plat condition.

The Planning Department and the Hearing Examiner have both recommended approval of this action.

Commissioner Wylie motioned to approve the Resolution approving an Agricultural Variance for Howard Bryson modifying the variance granted, removing the short plat condition.

Commissioner Vaux seconded the motion, which carried unanimously. (Resolution #14285).

ADJOURNMENT

Commissioner Wylie motioned to adjourn the proceedings. Commissioner Vaux seconded the motion, which carried unanimously.

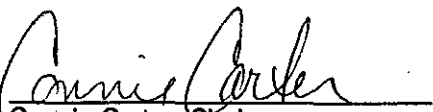
BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON


Robby Robinson, Chairman


Ruth Wylie, Commissioner


W. W. Vaux, Commissioner

ATTEST:


Connie Carter, Clerk
Skagit County Board of Commissioners