

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
Monday, July 13, 1992**

- 9:00 a.m. - 9:30 a.m. Board of Health.
- 1) Introduction of New Staff Members.
 - 2) Public Hearing - Revision to Schedule of Charges.
- 9:30 a.m. - 10:00 a.m. Introduction of Visitors from Holland.
- 10:00 a.m. - 11:00 a.m. Public Works Department - Rich Medved, Director.
- 1) Introduction of Summer Help.
 - 2) Public Hearing - Opening of Unopened County Right-of-Way Known as the Old School Trail Road.
 - 3) Signature - Rock Grant Request for Ted Krause on Janicki Cove, Sedro-Woolley.
 - 4) Resolution - Ratifying Notice of Intent to Form R.I.D., Prairie Lane.
 - 5) Signature - Certificate of Commendation.
 - 6) Miscellaneous.
- CONSENT AGENDA
- MISCELLANEOUS
- 1:30 p.m. - 2:00 p.m. Discussion - Boating Safety Regulation Enforcement - Lake Campbell.
- 2:00 p.m. - 2:30 p.m. Hearing Examiner Recommendation - Approval - Robert Wilcox Agricultural Variance #AGV92-025, 1379 Highway 9, Mount Vernon.
- 2:30 p.m. - 3:30 p.m. Preliminary Budget Call.
- 3:30 p.m. - 5:00 p.m. Executive Session - Personnel.

The Skagit County Board of Commissioners met in regular session on Monday, July 13, 1992, with Commissioners Robinson, Wylie, and Vaux present.

BOARD OF HEALTH.

- 1) Introduction of New Staff Members.

The Board was introduced to and welcomed Margaret Eisenhardt, Public Health Nurse, Eugenia Kallock, WIC Certifier and Interpreter; and Jackie Karsh, Clinic Nurse.

Caroline stated that another person, Molly Pulido, an employee hired by the State, but stationed with the County, started today to perform supervised medication for patients.

- 2) Public Hearing - Revision to Schedule of Charges - John Thayer.

Chairman Robinson waived reading the notice of public hearing as advertised in The Skagit Argus.

John Thayer reviewed with the Board the proposed revision to the schedule of charges for food and

beverage workers permit fees. The proposal is to increase the fee from \$5.00 to \$8.00; beginning August 1, 1992. Another item being presented was regarding setting Water Code Appeal or Waiver fees at \$200.00. There are no Water Code Appeal or Waiver fees in effect at this time.

Hearing and seeing no comment from the audience, Commissioner Wylie motioned to close the public hearing.

Commissioner Vaux seconded the motion, which carried unanimously.

Commissioner Wylie motioned to adopt the revisions to the Schedule of charges increasing Food and Beverage Workers fees from \$5.00 to \$8.00 effective August 1, 1992; and creating a Water Code Appeal or Waiver fee of \$200.00.

Commissioner Vaux seconded the motion, which carried unanimously.

INTRODUCTION OF VISITORS FROM HOLLAND

Lisa Nielsen, Executive Director, Skagitonians to Preserve Farmland introduced to the Board: Mr. Jan van Zijl, Member of Parliament; Mr. Servaes Huys, Ministry of Agriculture; and Mr. Frans Vroegop, Ministry of Agriculture.

The Board welcomed the visitors and discussed various governmental differences and similarities.

PUBLIC WORKS DEPARTMENT - RICH MEDVED, DIRECTOR.

1) **Introduction of Summer Help - Rich Medved.**

The Board was introduced to and welcomed summer employees from the Public Works Department: John Tuttle, Engineering Design Department; Jeff Miller, Traffic Department; Greg Iversen, Traffic Revision; Jennifer Feeny, Waste Reduction and Recycling; Steven Kettle II, Incinerator; and Joe Bresner, Accounting.

2) **Public Hearing - Opening of Unopened County Right-of-Way Known as the Old School Trail Road - Steve Winter, Office Engineer.**

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

Steve Winter, Office Engineer, reviewed with the Board that the location of the right-of-way proposed to be opened is off Colony Mountain and Wood Roads. Mr. Tony Berry has a short plat on the old timber railway right-of-way which was deeded to the County. Mr. Berry has requested that the county open 600' of the right-of-way for access to the short plats he is developing. Mr. Berry has indicated that he is willing to build and maintain the road to County short plat standards. Mr. Winter stated that he spoke with John Moffat regarding the County's liability. Mr. Moffat recommended that it be made clear on the permit that the County maintains no liability for the use of the road. The road will serve all four lots, and come to a dead end with turn.

Commissioner Wylie questioned whether the road will be private or public.

Monday, July 13, 1992

Page 3

Mr. Winter stated that the road will be available for public access, but will be maintained privately by Mr. Berry.

Chairman Robinson opened the hearing for public comment.

- Mr. Berry addressed the Board. Mr. Berry said that the State is not interested in maintaining the road, and that the vacation of road to him is not what he is ready for. Mr. Berry stated that he had already sold the two lots bordering the road so there is no value to him to own the road.

Commissioner Wylie asked if Mr. Berry could request that the road be vacated to him at a later date.

Mr. Winter said that would be possible.

Commissioner Wylie motioned to close the public hearing.

Commissioner Vaux seconded the motion, which carried unanimously.

Commissioner Vaux motioned to approve the resolution opening 600 feet of the unopened County Right-of-Way known as the Old School Trail Road, to be built to and maintained at County Short Plat Standards by Mr. Tony Berry.

Commissioner Wylie seconded the motion, which carried unanimously. (Resolution #14388).

3) Signature - Rock Grant Request for Ted Krause on Janicki Cove, Sedro-Woolley.

Dave Brookings presented a site map for the property of Mr. Ted Krause who is requesting a rock grant. Mr. Krause has acquired the proper permits to receive 1,000 cubic yards of rock. Mr. Brookings presented the Rock Grant Request for Mr. Krause to the Board for signature.

Commissioner Wylie motioned to approve the rock grant request.

Commissioner Vaux seconded the motion, which carried unanimously.

The grant request was signed.

4) Resolution - Ratifying Notice of Intent to Form R.I.D., Prairie Lane.

Steve Winter presented to the Board a Resolution ratifying the Notice of Intent to Form an R.I.D. on Prairie Lane as previously approved by the Board.

Commissioner Vaux motioned to approve the Resolution ratifying the Notice of Intent to Form an R.I.D. on Prairie Lane.

Commissioner Wylie seconded the motion, which carried unanimously. (Resolution #14389).

5) Signature - Certificate of Commendation - Rich Medved.

The Board signed a Certificate of Commendation as presented by Mr. Medved for Dick Swihart for years of service with the County which will be presented to him upon his retirement.

6) Miscellaneous.

A) Security of County Fuel Usage.

Val Martin, MARTIN Commercial Fueling, Inc., discussed with the Board what a card lock fueling station is and how the system works. Mr. Martin further explained that a plastic card when entered into cardlock fueling station along with 4 digit Personal Identification Number, allows the user access to whatever product is designated for that card. When a transaction is completed, a hard copy record is produced electronically, with all the details of the transaction. Monthly billing is created from this information with every transaction displayed on the invoice. A card can be denied access instantly upon notification on any working day, if necessary. Mr. Martin stated that a card lock system was developed because business were having problems with employees using their company gas cards to purchase items other than gas. With this system other purchases cannot be made.

If an employee is assigned a specific vehicle, the system can compute the MPG on the vehicle by keying in the odometer reading prior to fueling.

Another option is a 2 card system - the driver has a card and each vehicle has a card. This identifies the employee and which vehicle is being used. The billing is listed chronological by vehicle number. The two card system would more cumbersome for the County.

Mr. Martin suggested a control group trial of the system. Then it could be determined whether it is a beneficial system for the County to use.

Mr. Medved stated that the County would pay a premium for using the system, but wouldn't have to use premium fuel, as is necessary when fueling at the Sheriff's gas pump.

Mr. Martin stated that Reisner Distributors has 3 key-lock stations, and MARTIN 2, that are Pacific Pride networked, and all stations could be utilized with this system, and have the billing consolidated. This would give access to various fueling stations around the County rather than limiting refueling to one location.

The Board recommended a control group trial of the system.

B) Mr. Medved discussed with the Board that the change of the Argus publication day from Tuesdays to Wednesdays makes it necessary to have the notices for public hearings and bid openings prepared an extra week in advance, in some cases. Mr. Medved requested that bid openings be moved to Wednesdays or changing which publication to use for the Public Works Department.

The Board was not in favor of changing publication, but determined that bid openings could be on Wednesdays, and public hearings will have to be delayed if necessary, to meet publication requirements.

CONSENT AGENDA

• Human Services:

- 1) Signature - Contract Amendment #3 with DSHS-Division of Alcohol & Substance Abuse. This amendment adds legislated inflationary increases for vendors, increased state funds to support

detox services, and a small amount of new federal dollars for both treatment and prevention services. (Contract #01023).

* Commissioners' Office:

- 2) Signature - Contract with Economic and Engineering Services Bob Wubbena, President, P. O. Box 976, 626 Columbia Street N.W., Suite 2-A, Olympia, Washington 98507, to provide moderator services during meetings involving representatives of Skagit County water purveyors, fire service officials, and County officials to reach agreement on adoption of appendices pertaining to the 1991 Uniform Fire Codes; specifically, those pertaining to fire hydrant spacing. The County will compensate the Contractor at the rate of \$95.00 per hour plus travel expenses. Total contract amount will not exceed \$500.00. (Contract #01357).

* Health Department:

- 3) Signature - Contract Amendment with Northwest Regional Council, 1800 James Street, Bellingham, WA 98225, extending the contract period through June 30, 1992, and to increase the Unit Rate by \$2.00 to the amount of \$63.28. (Contract #00420).

* Budget/Finance:

- 4) Signature - Interlocal Cooperative Agreement for the Best SELF Program between Skagit County and the Burlington-Edison, Concrete, and Mount Vernon School Districts. The County will provide the following:
 - a) Hire the teachers, college assistants and high-school aides for program supervision.
 - b) Manage the participant registration process.
 - c) Manage the revenues and expenditures of this program through the County budget.

The School Districts will provide the following:

- a) Use of school facilities for the program.
- b) Maintenance of facilities during the program.
- c) Breakfast, lunch and snack preparation and services
- d) Buses and drivers as necessary for field trips in accordance with district policies.

Direction of the program shall be the responsibility of the Best SELF Program Committee. Materials or equipment purchased by the County or School Districts relating to the SELF Program shall remain the property of the purchasing entity. Donations to the Program shall become the property of the County. This agreement is effective June 1, 1992 through August 31, 1992. (Contract #01358).

* Parks, Recreation, and Fair:

- 7) Out-of-State Travel Request for Steve Colby to attend NRPA Congress for Recreation and Parks in Cincinnati Ohio, October 14, 1992, through October 19, 1992 at a total expense to the County of \$915.19.

- 8) Signature - Official's Contract for Jon Aarstad Jr. to Coach Youth Basketball at the rate of \$5.50 per hour in the 1992 year. (Contract #01291).

* Assessor's Office:

The Data Processing Department has agreed to fund the travel for Bob Lee for the request below:

- 9) Out-of-State Travel Request for Bob Lee, Assessor's Office, to attend a computer Software Class - 200, Universe Fundamentals, in Santa Ana, California, July 27, through 31, 1992.
- 10) Out-of-State Travel Request for Mark Leander, Assessor's Office, to attend a computer Software Class - 200, Universe Fundamentals, in Santa Ana, California, July 27, through 31, 1992.
Total Cost of \$2,240.00.

MISCELLANEOUS

- 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, July 13, 1992, the Board, by a majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

Warrants #2008849 through #2009355 (Vouchers #84310 through #84654) in the amount of \$290,891.99. Transmittal #C27-92.

- B) The Board signed a resolution directing the Skagit County Treasurer not to sell Certificates of Delinquency for 1989 and/or prior years real property taxes. (Resolution #14392).
- C) The Board signed a Letter of Intent to Propose for Skagit County Senior Services to submit to the Northwest Regional Council in order to have continued services in 1993. (Contract #01372).

Discussion - Boating Safety Regulation Enforcement - Lake Campbell.

Gary Frazier, Skagit County Sheriff addressed the Board, stating that there were Lake Campbell residents present that would like to voice their concerns to the Board.

- Mr. Bell stated that last year he witnessed a boat and skier collide, and continues to have grave concerns about the boating safety on the lake. He thought that the boat traffic was to travel in a counter clock wise direction, and that there was a speed limit designated for crafts on the lake. He stated that he had spoken with Deputy Marlow, and asked about buoys being placed 150 feet from the shore, and was told that the Commissioner's would have to approve that action. Mr. Bell stated that his discussion with Deputy Marlow was what prompted his letter to the Board. He asked the Board to consider the following:

- 1) The installation of a toll free line to the Sheriff from Fidalgo Island. The residents have to make long distant calls or dial 911. They don't always know if what they need to report should be called in to 911.
- 2) The noise of the boats and jet skis is excessive and needs to be regulated.

- 3) Campers are using the launch site over night. The gate could be locked at night and reopened in the morning.
- 4) Place signs at the launch site stating rules and regulations and applicable Skagit County Codes.
- 5) Place signs at Lunz's trailer park stating rules and regulations and applicable Skagit County Codes.

- Jay Hammond, 415 Campbell Lake Road, addressed the Board. Mr. Hammond said that he agreed with Mr. Bell's comments and wanted to emphasize the noise problem. He suggested that a sound screening test be done to determine the noise levels. He provided the name of an audiologist, Jill Hughes, that he has spoken with and indicated interest in performing noise level testing. He suggested that boat owners could then be fined if their boats' noise production was beyond allowable levels. Mr. Hammond stated that the biggest offenders are the high stack boats with muffler bypasses, that are loud and fast. Mr. Hammond stated that he understood that due to limited funds the enforcement is difficult. He would like to see the user fees re-established for boaters.

Mr. Hammond stated that the water quality is deteriorating naturally as well as by boat use.

- Mr. Bob Keller, 379 S. Lake Campbell Road, addressed the Board. Mr. Keller stated that he agreed with all the previous comments made. He said that the boats and jet skis create additional problems by operating in the lily pads close to the shore, which prohibits others from using the shoreline.

- Dr. Rick Kirkwood, 407 S. Lake Campbell Road, addressed the Board. Dr. Kirkwood stated that two weeks prior, a reckless driving citation was issued to a boater, and commended the Sheriff's Department for their action. The situation cited was when his son and a friend were swimming off his dock, about 50 feet from shore, when an outboard motor boat came near. The operator of the boat directed his attention to someone on the shore and came within 10 feet of Dr. Kirkwood's dock, and 5 feet from his son. He stated that the jet skis are dangerously dodging between boaters on the lake. On a Monday, at 4:00 p.m., there were 25 boats operating on the lake which only has a functional operating distance of 3/4 mile square. Dr. Kirkwood stated that there is high boater density, no traffic pattern, and no safety regulations followed on Lake Campbell. He said that there had been no fatalities yet, but there had been injuries, propeller cuts, and hospital treatment necessary. The fishing access has become a public park when there is no beach, only a 50 foot wide access and the area is marshy. The water quality is deteriorating. There was \$50,000 in federal funds spent to clean up the lake in the recent past. The weed harvester has not been there for some time and it would only take about two weeks per year to maintain the lake and not undo what was done with the federal funds.

Mr. Bell readdressed the Board stating that he is aware that it is costly to run the harvester, and that there are volunteers available that would run the machine if the County would be willing to allow the use of it.

- Dan Peth, Kamb Road, Mount Vernon, addressed the Board. Mr. Peth stated that he has been skiing on Lake Campbell for many years. He skis tournament style which requires no more than 34 to 36 miles per hour. He doesn't want to see the lake spoiled for use due to bad influences. He stated that he has willingly complied with the law, and felt that the regulations need to be better enforced. Mr. Peth felt that the State Game Department boat launch presents the biggest problem. He said that a fishing license is required to use the State Game Department launch, which he carries, but the Game Department is not enforcing the regulation.

Mr. Peth said that jet skis were being operated in front of the launch obstructing boat access and creating a danger. He felt that eventually someone would be killed and then the lake will be closed to all skiing. He stated that there is no need to ski over 35 miles per hour, and that the regulations need to be enforced.

- Sheriff Frazier addressed the Board stating that his Department is aware of the issues. There are three major lakes that are prime skiing, Lake Cavanaugh, Big Lake and Lake Campbell. He said that a patrol boat could be utilized on each lake each weekend and that Deputy Marlow spends about 8 hours per weekend patrolling County lakes. The County doesn't have the resources to cover all the enforcement needs, and there is a question of whether it is up to the State or the County to provide those needs. His department is in the process of comparing Skagit County's ordinances to other county's to see how they are handling similar situations. Sheriff Frazier stated that four hours a week would be the maximum that resources will allow for patrolling Lake Campbell. He said that if calls are received regarding reckless driving, or noise they will be responded to.

Sheriff Frazier addressed the residents in attendance and told them that if his department can't have the boat out to the lake, then deputies will be sent out to perform shore checks. He recommended that the residents continue to call 911 with any accident reports.

- Mrs. Bell addressed the Board stating that from her house they can hear parties on the landing well into the evening. She felt that some kind of patrolling should be done to get the idea through.

Commissioner Vaux asked Dr. Kirkwood if he knew about how many of the boaters on the lake were local or non-resident.

Dr. Kirkwood felt that at least 80 percent of the boaters on the lake are non-residents.

Commissioner Vaux stated that if the Department of Game can be worked with on the boat ramp use and regulating, it may solve the problem.

Commissioner Wylie stated that jet skis are a different industry and separate problem. There needs to be the same regulations on all the lakes. All the same problems exist, and the same solutions should be utilized.

Deputy Marlow addressed the audience stating that he is an avid boater, and due to the problems he sees on the local lakes, he will not boat on the weekends. He said that Snohomish County has boating regulations in effect, and there are buoys along the shoreline to distinguish boat launching areas and skiing areas.

Deputy Marlow stated that signs that have been put up at Skagit County lakes have been removed or damaged. He encouraged the residents to continue to call with complaints as that is what is necessary to create awareness and have meetings held.

Mr. Bell asked that the Board take note that not one of the residents wanted to have boats prohibited on the lake.

HEARING EXAMINER RECOMMENDATION - APPROVAL - ROBERT WILCOX AGRICULTURAL VARIANCE #AGV92-025, 1379 HIGHWAY 9, MOUNT VERNON.

Grace Roeder, Associate Planner, submitted Metskers maps and photos of the subject property to the Board. Ms. Roeder stated that Mr. Wilcox owns 22 acres of vacant land that was the subject of a short plat in 1980. When the short plat was done there was an attached statement of "not for building." An additional condition was that: "Tract #2 is to be conveyed to an adjoining property owner and is to be used as a separate building site until approval is granted by the various county agencies regulating residential development.

Ms. Roeder read the Hearing Examiner's findings of fact into the record. The Hearing Examiner had adopted the findings of the Department of Planning and Community Development and recommended approval subject to the conditions proposed by the Staff.

The options for consideration are:

- a) to summarily approve the Hearing Examiner's recommendation; or
- b) to remand it back to the Hearing Examiner for further discussion; or
- c) hold a public hearing and adopt findings of fact if the Board deems a change in the Hearing Examiner's recommendation is necessary.

Commissioner Vaux motioned to uphold the Hearing Examiner's recommendation to approve the Agricultural Variance #V-92-025 of Robert Wilcox, 1379 Highway 9, Mount Vernon, Washington.

Commissioner Wylie seconded the motion, which carried unanimously. (Resolution #14393).

PRELIMINARY BUDGET CALL.

Jerry McInturff, Skagit County Auditor, presented the 1993 Preliminary Budget Call packages to the Board and all department heads. Mr. McInturff reviewed the packages with all present. The packages are due back to the Auditor's Office by August 11, 1992. The Final Budget will be adopted December 7, 1992.

Mike Woodmansee addressed the audience, stating that the new forms in the Preliminary Budget Call packages will provide useful information to him and the Board when they are going through the budget review process. He reviewed the need for more office space and the impact of the building planned for the old Blade building site. Mr. Woodmansee stated that 1993 will be the last year of the Criminal Justice Funding, which pays for 16 positions. He said that if the State has a difficult budget year, the County will as well as they can't give what they don't have.

Mr. Woodmansee stated that the checklist included in the package is important to be completed so that it is obvious that all pieces of the package have been responded to.

Commissioner Vaux addressed the audience, stating that he had good news and bad news. The bad news being: This is the most difficult budget season the County has had. It requires 5 to 6 percent increase in the budget to maintain a status quo. 1993 will have less income for the County than 1992, which has never happened before. Commissioner Vaux stated that without timber sales the County Road Fund will be

adversely affected. State Timber money was \$3,000,000 the last 4 or 5 years and is now down 40%. Sales Tax Revenue is holding, Property Tax is up a bit, but not much. The 1993 income is not promising. The Office of Financial Management figures as of April 1, 1992, show Skagit County population to be 85,500. In 1985 the population was 66,500. The County has grown by 20,000 in the last 7 years which places a large demand on the County.

Commissioner Vaux stated that the good news was that this was the last Budget Call where those present would have to look at him.

Chairman Robinson thanked all those present for attending.

ADJOURNMENT

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



ATTEST:

Connie Carter

Connie Carter, Clerk of the Board
Skagit County Commissioners

Robby Robinson

Robby Robinson, Chairman

Ruth Wylie, Commissioner

W.W. Vaux

W.W. Vaux, Commissioner