

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

Monday, March 1, 1993:

- 10:00 a.m. - 11:00 a.m. Public Works Department - Rich Medved, Director:
- 1) Public Hearing - Vacation of a Portion of Unused County Right-of-Way in the Vicinity of Conway.
 - 2) Discussion - Status Report - Chilberg Road Realignment.
 - 3) Signature - Resolution Regarding Hazard Mitigation Grant for Jackman Creek.
 - 4) Miscellaneous.
- CONSENT AGENDA.
- MISCELLANEOUS ITEMS.
- 1:30 p.m. - 2:00 p.m. Facilities - Roger Howard, Manager.
- 1) Signature - Change Order to the Contract for the Court House Parapet Wall Repair.
 - 2) Signature - Resolution to Call for a Public Hearing Regarding the Lease of County Facilities in BayView to the Skagit County Historical Society.
- 2:00 p.m. - 2:30 p.m. Presentation - County Property Inventory.
- 2:30 p.m. - 3:00 p.m. Public Hearing - Regarding the Lease of County Property at the Burlington Shop.
- 3:00 p.m. - 3:30 p.m. Proclamation - Designating March, 1993, as Red Cross Month.
- 3:30 p.m. - 4:30 p.m. Executive Session - Personnel and Land Acquisition.

The Skagit County Board of Commissioners met in regular session on Monday, March 1, 1993, with Commissioners Robert Hart and Harvey Wolden present. Commissioner Robinson's absence was excused.

PUBLIC WORKS DEPARTMENT - RICH MEDVED, DIRECTOR:

- 1) Public Hearing - Vacation of a Portion of Unused County Right-of-Way in the Vicinity of Conway.

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

Linda Leonhart, Records Clerk, addressed the Board regarding the request of Charles Faber, and Conway Seed, Inc. to vacate a portion of unused right-of-way adjacent to the Conway Seed property. It is located off Fir-Conway Road and is State turn-back property. The survey performed by Semrau and Lisser of the area defined the dimensions of the parcel to be a total of 12,650 square feet. The portion adjacent to Conway Seed Inc. is 8,395 square feet, valued at \$3609.32. The other adjoining property owner, Wylie Inc., would receive 4,255 square feet of the parcel, valued at \$1829.65. The Skagit County Assessor's Office valued the property at .43 cents a square foot. The total property value is \$5,439.50

Chairman Hart opened the hearing for public comment.

Robin LaRue, Assistant Public Works Director, stated that in the past when the County received property at no cost, there was no cost imposed on the party requesting vacation of the same property, other than the cost of the public hearing.

Seeing and hearing no further comment from the public, Commissioner Wolden motioned to close the public hearing. Chairman Hart seconded the motion, which carried and was so ordered.

Wolden motioned to approve the vacation of the unused County right-of-way as presented to the adjoining property owners, Conway Feed, Inc., and Wylie Inc. The total cost to the applicant shall be \$88.32 to cover the cost of the public hearing.

Chairman Hart seconded the motion, which carried and was so ordered.

2) Discussion - Status Report - Chilberg Road Realignment.

Doug Barnet, County Engineer, addressed the Board regarding an update on the Chilberg Road realignment. He introduced Pat Holden, and Dave Sheridan as being the project leaders.

Mr. Barnet said that this project has been on the Transportation Improvement Program since 1989, and the Engineering Department has been working on it since 1990. The SEPA review is being performed, and the Department is working with the Corps of Engineers to resolve issues related to the project. A wetlands analysis has been performed, and research made it possible to define the end of Sullivan Slough and the beginning of Anderson ditch, which flow through the area of the realignment project. The State claims that these waterways are under Federal jurisdiction. The County cannot redirect the flow of these waters as was originally planned. Mr. Barnet stated that it may be possible to purchase a portion of Mr. Fohn's property in order to perform the necessary work.

Chairman Hart questioned what would be involved if a sale was negotiated with Mr. Fohn, and what will be necessary to perform.

Mr. LaRue stated that culverts would be placed in Anderson ditch to support the road crossing it. It had originally been discussed with Mr. Fohn to realign the ditch and fill in the curve, but this may not be allowed due to the waterway jurisdiction question.

Mr. Johnson suggested that the realignment be located north of Calhoun Road, on his property, and that he would be willing to coordinate with the County to do so.

Mr. Barnet stated that there has been no final configuration decision. Attempts are still being made to find the most favorable solution. He said that he was not asking direction from the Board at this time, he was only providing information. Mr. Barnet stated that the project will be completed as soon as possible, and will continue to update the Board on the progress of the project.

3) Signature - Resolution Regarding Hazard Mitigation Grant for Jackman Creek.

Dave Brooking, Flood and Drainage Engineer, stated that the Hazard Mitigation Grant Program would allow local government to alter problem areas in order to improve them. In order to make the application complete, it is necessary for the Board to sign a resolution assuring the Federal Emergency Management

Agency that the local agency is intent upon constructing the proposed project. The project being proposed on Jackman Creek would be to create a large sedimentation basin approximately two miles east of Concrete. The sedimentation pond would protect the Highway 20 bridge crossing Jackman Creek from the large amount of gravel and woody debris that is deposited upstream from the bridge. It would also allow for less frequent dredging of the creek.

Commissioner Wolden asked what the cost would be to the County.

Mr. Brookings stated that \$150,000 will be the maximum amount granted for this project, which will not be enough to cover it. The Federal grant amount would be no more than \$100,000, and requires a 50% match of non federal funds. This would make it necessary for the State to provide \$50,000 and the County would be responsible for \$50,000.

Commissioner Wolden motioned to approved the resolution as presented. Chairman Hart seconded the motion which carried, and was so ordered. (Resolution #14748).

4) Miscellaneous.

A) Mr. LaRue presented to the Board a resolution allowing an emergency closure on the Hickox Road in order to allow Burlington Northern Railroad to repair the Railroad crossing. The closure is to be March 2, 1993, from 8:00 a.m. to 6:00 p.m. The construction site will not be passable.

Chairman Hart motioned to approve the resolution for an emergency closure on Hickox Road for the Railroad crossing repair. Commissioner Wolden seconded the motion, which carried and was so ordered. (Resolution #14749).

CONSENT AGENDA.

• ADMINISTRATION:

1. Record of the Proceedings for the Week of February 8, 1993.
2. Record of the Proceedings for the Week of February 16, 1993.
3. Record of the Proceedings for the Week of February 22, 1993.

* ARIS:

4. Signature - Contract for professional services with Chambers and Mortimer, 901 Harris Avenue, Bellingham, Washington, to provide substance abuse evaluation and assessment testing at the rate of \$50.00 for Personal Experience Inventory. Contract commences January 1, 1993, and terminates December 31, 1993. (Contract #01578).
5. Signature - Contract for professional services with Christa Moore, M.A., 808 Elliott Place, Mount Vernon, Washington, to provide individual and family counseling at the rate of \$65.00 per 50 minute counseling hour. Contract commences January 1, 1993, and terminates December 31, 1993. (Contract #01579).

* HEALTH DEPARTMENT:

6. Signature - Guest Speaker Contract with Rob Haverty, P.O. Box 5392, Bellingham, Washington 98227, at Personal Perspectives on HIV/AIDS presentations through 1993, at the rate of \$25.00 per presentation. (Contract #01580).
7. Signature - Guest Speaker Contract with Jane Conquest, 2601 Lynn Street, Bellingham, Washington 98225, at Personal Perspectives on HIV/AIDS presentations through 1993, at the rate of \$25.00 per presentation. (Contract #01581).

* PUBLIC WORKS:

8. Signature - Final Order of Vacation - Joe Johnson Road.
9. Signature - Call for Public Hearing for a Speed Limit Reduction on a Portion of Josh Wilson Road. (Resolution #14750).
10. Signature - Resolution Amending Resolution No. 14614 - Road Name Clarification of Sunset Lane No. 4601 to Sunrise Drive No. 7805. (Resolution #14751).
11. Signature - Resolution - Bid Award for the South Skagit Highway, et al Guardrail Project. (Resolution #14752).
12. Signature - Resolution - Bid Award for the Purchase of Two, Special Purpose, Four-Wheel Drive Passenger Vehicles. (Resolution #14753).

* JUVENILE PROBATION:

13. Signature - Personal Services Contract with Youth Dynamics, P.O. Box 486, S. Burlington Blvd., Burlington, Washington 98233, for the provision of Psychologicals, evaluations, counseling, outpatient treatment and other services. Fees are as follows: Groups \$25.00/week; Individual \$60.00/session; Ropes Course \$55.00 per student, per day; Rock Climbing \$55.00 per student, per day; Parent Education Program \$25.00 per couple, per session; Parenting Adolescents Class availability and fee schedule available upon request; Wilderness Trip \$650.00 per student (\$65.00/student x 10 days). Contract commences January 1, 1993, and continues until terminated. (Contract #01582).

* SENIOR SERVICES:

14. Signature - Contract for the rental of County Property located at 153 Railroad Avenue, Concrete, Washington, 98237, with Saturday Community Market Association, P.O. Box 174, Concrete, Washington 98237. Rental shall be on Saturdays, beginning May 22, 1993, and terminating September 6, 1993. The hours of operation will be from 8:00 a.m. to 5:00 p.m. Rental fee is \$160.00. (Contract #01583).

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 1, 1993, 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 #PW9300003518 through #PW9300003828 (Vouchers #117854 through #118577) in the amount of \$1,002,773.14. Transmittal #P-4-93.
 - 2) Warrants #93505 through #94021 (Vouchers #3002170/P15100/P11110011 through #3001442/P151014/P1111032) in the amount of \$1,367,745.74. Transmittal #C-06-93.
 - 3) Warrants 94022 through #94054 (Vouchers # 3001743/3002171 through #3001767/3002178) in the amount of 476,87.66. Transmittal #C07-93.
- B) A discussion was held with Public Works staff and Drainage District #15 members regarding the liability for persons parking on properties during the tulip festival. The Board recommended that the City of LaConner and Tulip Festival members be contacted regarding this situation by Drainage District #15 members.
- C) The Board approved and signed a resolution regarding the annexation of property to Fire District No. 3, known as Cascade Ridge -Boundary Review Board File No. 90-6. (Resolution #14755).
- D) The Board approved and signed a rental agreement between Skagit County and Saturday Community Market Association, P.O. Box 174, Concrete, Washington 98237, for the use of property known as 153 Railroad Avenue, Concrete, Washington 98237, on Saturdays from the hour of 8:00 a.m. to 5:00 p.m., beginning May 22, 1993, and ending September 6, 1993. (Contract #01583).
- E) The Board approved and signed a Contract for Professional Services with G & G Tree Service for the removal of trees near the Howard Miller Steelhead Park office and campsite. The County shall compensate the contractor a flat fee of \$700.00. (Contract #01584).
- F) The Board was introduced to, and welcomed, Tracy Good, receptionist for the Parks, Recreation, and Fair Department.

FACILITIES - ROGER HOWARD, MANAGER.

- 1) Signature - Change Order to the Contract for the Court House Parapet Wall Repair.

Roger Howard, Facilities Manager, addressed the Board regarding the need to amend the contract with Eldred and Essex for the Court House parapet wall. The contractor found that it is necessary to relocate three of the four existing roof drains and to replace all four drains with 12" diameter drain bowls and other necessary accompanying hardware. These changes will increase the original contract amount by \$4,844.00, making the total contract amount \$370,644.00.

Commissioner Wolden motioned to approve the requested change order as presented. Chairman Hart seconded the motion which carried and was so ordered. (Contract #01418).

2) Signature - Resolution to Call for a Public Hearing Regarding the Lease of County Facilities in BayView to the Skagit County Historical Society.

Mr. Howard presented a resolution for approval to call for a public hearing regarding the lease of County facilities at Bayview. The Skagit County Historical Society Museum has requested to lease the facilities commonly known as the Skagit County Public Works Department Bayview Shop. Said hearing would be scheduled for March 22, 1993, in the Commissioner's Conference Room, 202A, 700 S. Second, Mount Vernon, Washington 98273, at the hour of 1:30 p.m., or as soon thereafter as possible.

Commissioner Wolden motioned to approve the resolution calling for a public hearing as presented. Chairman Hart seconded the motion, which carried and was so ordered. (Resolution #14757).

PRESENTATION - COUNTY PROPERTY INVENTORY.

Mike Woodmansee, Budget/Finance Director introduced Chris Stamey, Program Assistant, to the Board, stating that Chris's main task is to inventory the County personal property. He has completed this task for 1992, and will present the document to the Board for approval.

Mr. Stamey stated that law requires any property valuing \$150.00 or more to be tagged as assets. There are two systems for asset inventory currently. One database contains files regarding non-computer related property and the other contains information regarding computer related property.

Mr. Stamey presented to the Board a document showing inventory flow for the County during the calendar year of 1992. The dollar value of property acquired in 1992 of non-computer, and computer items combined was \$4781,195. The dollar value of property disposed of in 1992 of non-computer, and computer items combined was \$102,601. The acquisition cost of total inventory through December 31, 1992, of non-computer, and computer items combined was \$5,224,695. The current value of total inventory through December 31, 1992, of non-computer and computer items combined is \$1,551,875.

Mr. Stamey stated that a major concern currently, is how to dispose of equipment. With the removal of the Blade building, there is no place to store equipment awaiting auction. The procedure being followed at present is to notify department heads of equipment available, and if there is no interest, donate it to the Salvation Army.

Chairman Hart motioned to approve the certification of the 1992 County Property Inventory. Commissioner Wolden seconded the motion, which carried and was so ordered.

PUBLIC HEARING - REGARDING THE LEASE OF COUNTY PROPERTY AT THE BURLINGTON SHOP.

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

Chairman Hart opened the hearing for public comment.

Tom Sheahan, Director of Skagit County Emergency Management, introduced the following to the Board:

Wayne Houck, President, Skagit Search and Rescue Council; Chief John Hunter, Skagit County Sheriff's Office; Deputy Tony Breckenridge, Skagit County Sheriff's Office, and Coordinator, Skagit Search and Rescue Council; Dave Fleming, Skagit County Risk Manager; Roger Howard, Facilities Manager; and Mark Watkinson, Emergency Management Coordinator.

Mr. Sheahan read a memo into the record regarding the request of the Skagit County Search and Rescue Council's desire to lease the subject County property. The proposal provides for the construction of a building to house Search and Rescue vehicles and equipment, and to conduct official training. The Council would pay for the construction of the building, and upon its completion, terminate the lease and turn the building over to Skagit County.

Mr. Sheahan presented a map of the area highlighting the proposed property to be leased, photographs of the vehicles to be housed in the proposed facility, and a draft plan of the proposed facility. The facility would have a garage that accommodates six vehicles, provide restrooms for men and women, have an office/storage room, and have a meeting room. He said that if it is required to design the building to ADA requirements, it will change the current plan. There would then be a requirement to install a three-hour fire wall between the garage and facility, and a door directly from the garage into the facility would not be allowed.

Mr. Fleming addressed the Board regarding Item #7 Indemnification and Hold Harmless in the proposed agreement. He said that this paragraph indicates that the lessee will provide the County with adequate insurance. The liability portion is at issue. When the County leases to an uninsured entity, the County becomes the insurance carrier. If a law suit was brought forth against the lessee, the County would be the party responsible for paying any damages incurred. Mr. Fleming felt that the risks are not great except when the Search and Rescue Council members are not performing a State issued mission. If the agreement was signed as it presently reads and the Search and Rescue Council was sued without required insurance, the County would be responsible. However, if the Search and Rescue Council was involved in a State mission or training, the State is the insurance carrier.

Chairman Hart felt that if the State carried the insurance for State missions and training, it would be unreasonable for the County to require the lessee to carry their own insurance.

Mr. Houck stated that it would be a burdensome expense for the Search and Rescue Council to provide for their own insurance coverage. It would be necessary to reduce funding in another area.

Commissioner Wolden asked whether there was a way for the County to carry a policy for the Council.

Mr. Fleming stated that there were two possible ways for the County to provide insurance for the Council. One would be to purchase a policy for them, the other would be to sign the agreement with Item #7 stricken and they would be covered under the County's self insured policy.

Mr. Howard stated that he will verify whether the County will be required to pay leasehold tax.

Seeing and hearing no further comment, Chairman Hart motioned to close the public hearing. Commissioner Wolden seconded the motion, which carried and was so ordered.

Commissioner Wolden motioned to enter into an agreement for the lease of County property as presented

with Skagit Search and Rescue Council, with the exception of Item #7, which will be stricken from the content of the agreement, and for the County to cover this exposure with insurance.

Chairman Hart seconded the motion which carried, and was so ordered. (Contract #01585).

PROCLAMATION - DESIGNATING MARCH, 1993, AS RED CROSS MONTH.

Ms. Wanda Pitman, from the Mount Vernon Red Cross Chapter read into record a proclamation designating the Month of March as Red Cross Month.

Commissioner Wolden motioned to adopt the Proclamation designating March, 1993, as Red Cross Month in Skagit County. Chairman Hart seconded the motion, which carried and was so ordered. (Resolution #14754).

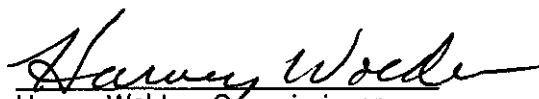
ADJOURNMENT

Commissioner Wolden motioned to adjourn the proceedings. Chairman Hart seconded the motion which carried, and was so ordered.

BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON



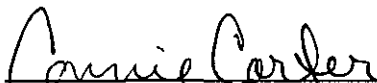
Robert Hart, Chairman



Harvey Wolden, Commissioner

Robby Robinson, Commissioner

ATTEST:



Connie Carter, Clerk of the Board

