

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

Monday, September 13, 1993

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

Public Works Department - Rich Medved, Director:

- 1) Public Hearing - Vacation of Unused County Road Right-of-Way - Plat of Alger.
- 2) Resolution/Cost Estimate - Rock Grant Request - Alan Hovenden, West Gilligan Creek Road.
- 3) Resolution - Transfer of Residual Equity to Equipment Rental Fund Number 501 for Vehicle Fleet Expansion.
- 4) Contract Supplement "C" - Underground Storage Tank - Kennedy/Jenks Consultants.
- 5) Miscellaneous.

CONSENT AGENDA.

MISCELLANEOUS ITEMS.

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

Bid Openings - Toiletries, Candy and Snacks for the Skagit County Jail.

2:00 p.m. - 2:30 p.m.

Public Hearing - Sale/Lease of Property Located at 1202 South Second Street, Mount Vernon.

2:30 p.m. - 3:00 p.m.

Parks, Recreation, and Fair - Jon Aarstad, Director:

- 1) Signature - Contract - National Rails to Trails Conservancy.
- 2) Signature - Resolution Authorizing Funds for Property Acquisition - Rail Banking.

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

Executive Session - Personnel.

The Skagit County Board of Commissioners met in regular session on Monday, September 13, 1993, with Commissioner Robert Hart and Robby Robinson present. Commissioner Harvey Wolden's absence was excused.

PUBLIC WORKS DIRECTOR - RICH MEDVED, DIRECTOR:

- 1) Public Hearing - Vacation of Unused County Road Right-of-Way, Plat of Alger.

Chairman Hart waived the reading of the Notice of Public Hearing, as published in The Skagit Argus.

Linda Leonhart, Records Clerk, explained that the Public Works Department has received a petition for a vacation of County road right-of-way within the Plat of Alger from Yvonne Green. She located the area on a vicinity map, and stated that the right-of-way in question is an alley way off of the old Lake Samish Road. The petitioner owns blocks 12, 13, and 14 in the Plat, and acquired adjacent railroad right-of-way as well. The petitioner would like to obtain the right-of-way between the blocks of property she owns. Ms. Leonhart stated that although the rest of the property owners in the area are aware of the request being discussed this morning, no others came forward to request that right-of-way near their properties be considered as well.

RECORD OF THE PROCEEDINGS
Monday, September 13, 1993
Page #2

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

Commissioner Robinson then motioned to approve the vacation of unused right-of-way in the Plat of Alger to Yvonne Green for the amount of \$76.33. Chairman Hart seconded the motion, which carried and was so ordered.

2) Resolution/Cost Estimate - Rock Grant Request - Alan Hovenden, West Gilligan Creek Road.

Dan Tolliver, Flood and Drainage Engineer, reported that Mr. Alan Hovenden of 2573 West Gilligan Creek Road has requested a grant from the County's rock rip-rap grant program of 50 cubic yards of rock rip-rap to construct a headwall for a new culvert crossing on Stevens Creek located adjacent to his property. Mr. Tolliver located the Hovenden property on a vicinity map. Mr. Tolliver stated that the culvert near Mr. Hovenden's home has been blocked several times by debris, which causes his property to flood. Mr. Hovenden has proposed to hire a contractor to replace the offending culvert and build a rock headwall to protect the Hovenden property. An easement across Mr Hovenden's property belonging to the County provides access to the Skagit River. The replacement of the culvert which Mr. Hovenden plans, Mr. Tolliver stated, would also benefit the County in that it will assure that the easement will remain passable in the event of a flood.

Commissioner Robinson motioned to approve the rock rip rap grant requested by Mr. Alan Hovenden. Chairman Hart seconded the motioned, which passed unanimously. (Resolution #15008)

3) Resolution - Transfer of Residual Equity to Equipment Rental Fund #501 for Vehicle Fleet Expansion.

Robin LaRue, Assistant Director, presented a resolution which would allow the transfer of funds from the Public Health Fund, County Road Fund, and the Solid Waste Fund into the Public Works Equipment Rental Fund. The Equipment Rental Fund purchased vehicles for each of these three departments, and this action would reimburse the Equipment Rental Fund for those vehicles.

Chairman Hart motioned to adopt the resolution transferring funds from the Public Health Fund in the amount of \$10,386, the County Road Fund in the amount of \$31,842, and the Solid Waste Fund in the amount of \$18,750 to the Equipment Rental Fund. Commissioner Robinson seconded the motion, which carried and was so ordered. (Resolution #15009)

4) Contract Supplement "C" - Underground Storage Tank - Kennedy/Jenks Consultants.

Mr. LaRue presented an amendment to the County's contract for removal of fuel tanks at the Burlington Shop and associated groundwater sampling with Kennedy Jenks, Consultants. The amendment, in the form of a supplement to the contract, would provide for additional groundwater sampling, as well as the installation of monitoring wells and preparation of reports to the Department of Ecology. The total amount of the contract would be increased to \$70,425, with each of four wells costing approximately \$4,000 to \$4,200 per well. Depending upon the results of the sampling, it may be necessary to perform some additional work on the site, Mr. LaRue stated. Hopefully, Mr. LaRue stated, the contamination from the tanks is contained within the site.

Commissioner Robinson motioned to approve supplement C to the contract with Kennedy/Jenks, Consultants. Chairman Hart seconded the motion, which carried and was so ordered. (Contract #01067)

RECORD OF THE PROCEEDINGS

Monday, September 13, 1993

Page #3

5) Miscellaneous.

- A. Rich Medved reported that an accident occurred on Reservation Road yesterday which resulted in the transportation of the driver and passenger(s) to the hospital. No further details were available.

CONSENT AGENDA.

Commissioner Robinson motioned to approve the Consent Agenda for September 13, 1993, as presented.

* **Public Works:**

1. Signature - Supplement to Agreement #001682 with Skagit Surveyors to perform additional work on the Lake Cavanaugh Road not exceed \$847.87, with a completion date of August 31, 1993. (Contract #01682)
2. Signature - Final Cost Records for work performed in early 1993 on Peterson Road, C.R.P. #3240-1.

* **Health Department:**

3. Signature - Amendment to the Contract with the Region 3 Aids Service Network to replace the Statement of Work Exhibit "A" with Exhibit "A-1", replace Exhibit "B" with Agreement Allocation Sheet or Budget with Exhibit "B-1", and to replace the maximum consideration of \$11,562.50 with the new amount of \$13,562.50. (Contract #01647)

* **Assigned Council:**

4. Personal Services Agreement with the Language Exchange to provide interpretive services for clients on a pre-arranged basis at the rate of \$40.00 per hour, with a one hour minimum, beginning August 31, 1993, and continuing through December 31, 1993. (Contract #001772)

* **Department of Planning and Community Development:**

5. Resolution requesting a report and recommendation from the Planning Agency on a proposal to amend Skagit County Zoning Ordinance 14.04.110 by adding Section (6) (a) (i-v) regarding an agricultural preservation program. (Resolution #15010)

* **Commissioners' Office**

6. Record of the proceedings from September 7, 1993.

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.

RECORD OF THE PROCEEDINGS

Monday, September 13, 1993

Page #4

As of this date, September 13, 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) Manual Warrant #MW101667-22 in the amount of \$5,000.00. Transmittal #C-44-93.
- 2) Warrant #97102 through #97225 (Vouchers #97102 through #97225) in the amount of \$290,999.58. Transmittal #R-20-93.
- 3) Warrants #101668 through #102045 (Vouchers #3012700 through #3013237) in the amount of \$344,349.97. Transmittal #C-44-93.

B. On motion by Commissioner Robinson, the Board unanimously approved a contract with attorney Tom Moser to provide legal representation for J. Lamont, a juvenile, at rates currently in effect for conflict case representation. Because it was late in reaching the Commissioners' Office, this contract was presented as a Miscellaneous Item. (Contract #001773)

C. Robert Taylor, Administrative Officer, introduced amendments to the current labor contract with the AFSCME Union to reclassify the position of Utility Worker from salary range 7 to range 8, and Operator from salary range 10 to range 11 within the incinerator operations division of the Public Works Department. Mr. Taylor explained that last year, the County agreed to perform a survey of similar positions in order to accurately classify and compensate employees of the incinerator as part of the unit clarification proceedings last year.

Chairman Hart motioned to approve the amendments. Commissioner Robinson seconded the motion, which carried and was so ordered. (Contract #00802)

Commissioner Wolden was present for the following items. Chairman Hart's absence was excused for the following item:

BID OPENINGS - TOILETRIES, CANDY AND SNACKS FOR THE SKAGIT COUNTY JAIL.

Commissioner Wolden waived the reading of the Notice of Call for Bids, as published in The Skagit Argus.

The following bid was received for candy and snacks for the Jail Commissary:

The Candy Man, Ltd.
1741-C Cedardale Road
Mount Vernon, WA 9273

For all items with the exception of tobacco products: \$20,094.00

The following bids were received for toiletries for the Jail Commissary:

- 1) Precise Institutional Services
P.O. Box 338
Ramsey, NJ 07446

For all items with the exception of Benzol Peroxide and Tennis Shoes: \$5,402.00

RECORD OF THE PROCEEDINGS

Monday, September 13, 1993

Page #5

- 2) ICS
P.O. Box 21056
Waco, TX 76702-1056

For all items except, Palmolive soap, balsam & protein shampoo, balsam conditioner, hand lotion, benzol peroxide, and tennis shoes: \$4,613.24

- 3) Keefe Supply Company
Crawford Supply Company
10950 Linpage Place
St. Louis, MO 63132

For all items except tennis shoes: \$5,865.86

- 4) Bob Barker Co., Inc.
P.O. Box 429
Fuquay, NC 27526

For all items except benzol peroxide: \$5,501.36

Kathy Hill of the Sheriff's Office will review the bids and return at a later date with a recommendation for approval.

PUBLIC HEARING - SALE/LEASE OF PROPERTY LOCATED AT 1202 SOUTH SECOND STREET, MOUNT VERNON.

This item was prematurely listed on the Commissioners' agenda, and will not be held until later in the month.

PARKS, RECREATION AND FAIR - JON AARSTAD, DIRECTOR.

- 1) Signature - Contract - National Rails to Trails Conservancy.
2) Signature - Resolution Authorizing Funds for Property Acquisition - Rail Banking.

Steve Colby, Operations Manager, reviewed the contract between Skagit County and the Rails to Trails Conservancy for acquisition of approximately 22.69 miles of the Sedro Woolley to Concrete Burlington Northern Rail line, for interim trail use and railbanking. He explained that the Rails to Trails Conservancy has negotiated a contract with Burlington Northern Railroad Company for acquisition of certain Burlington Northern rail lines in the State of Washington. He reviewed some of the other routes that would be purchased by other communities in the State.

Chairman Hart stated that it should be noted that if the Board proceeds with this, \$98,000 in general funds will be needed to complete the purchase of the property, which will be about \$2,000 an acre. Mr. Colby added that the property will be purchased for \$98,000, excluding the track and ties. If it is just based on the raw land, roughly 300 acres is being purchased for \$98,000, which would be approximately \$325.00 an acre, which is substantially different than the going market rate. Also, the County can, at a later date, opt out of the system if they wish. The purchase falls within the goals of the Parks Comprehensive Plan and provides a corridor that won't be lost when major rail service does come back. It is a valuable asset and should not be lost.

Mr. Colby introduced Paul Kenna, who represents the Upper River Railway. He explained that the Upper River Railway is negotiating for an excursion train service in the Concrete area. Under Mr. Kenna's group's proposal, the County would enter into a lease agreement with the group to use track in the Concrete area.

Mr. Kenna spoke to the Board, explaining that they are seeking to preserve the last 6 miles of track between Concrete and Grandy Creek, which is the portion of track that is in the best condition and, additionally, runs through the best scenery. Also, it is an ideal length for a tourist railroad. He said that Skagit County Parks is to be credited in recognizing this asset and providing them with the opportunity to purchase the best part of the track for railroad purposes.

Commissioner Robinson motioned to approve the resolution to enter into an Agreement with Rails to Trails Conservancy for purchase of the Sedro Woolley to Concrete Rail line. Commissioner Wolden seconded the motion, which passed unanimously. (Resolution #15011)

After discussion, Commissioner Robinson motioned to amend the above resolution to include the price of purchase in the amount of \$98,000. Commissioner Wolden seconded the motion, which passed unanimously.

Commissioner Hart motioned to enter into an agreement with Rails to Trails Conservancy for purchase of the Sedro Woolley to Concrete Rail line. Commissioner Robinson seconded the motion, which passed unanimously. (Contract #001775)

ADJOURNMENT:

Commissioner Robinson motioned to adjourn the proceedings. Commissioner Wolden seconded the motion. The motion was carried unanimously.

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON



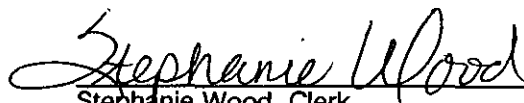
Robert Hart, Chairman

Robby Robinson, Commissioner



Harvey Wolden, Commissioner

ATTEST:



Stephanie Wood, Clerk
Skagit County Board of Commissioners