

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

Tuesday, January 18, 1994

9:00 a.m. - 10:00 a.m. Planning Department - Dave Hough, Director

- 1) Discussion - Urban Growth Areas.
- 2) Discussion - Installation of Watershed Road Signs.
- 3) Discussion - Draft Environmental Impact Statement (DEIS) on County Land Use Element.
- 4) Code Enforcement Report.
- 5) Miscellaneous.

10:00 a.m. - 10:30 a.m. Signature - Agreements with Community Action Agency.

CONSENT AGENDA.

MISCELLANEOUS ITEMS.

11:00 a.m. - 11:30 a.m. Hearing Examiner's Recommendation - Approval of Open Space Application #OSP-93-011 of Ted Lindberg and Norah Kembar, 497 South Shore Road, Guemes Island.

1:30 p.m. - 2:00 p.m. Bid Opening - Sheriff's Office Alterations.

2:00 p.m. - 3:00 p.m. Work Session - Formation of Solid Waste Disposal Districts.

3:00 p.m. - 3:30 p.m. Public Hearing - Supplemental Budget.

3:30 p.m. - 4:00 p.m. Executive Session - Personnel, Litigation, and Land Acquisition.

The Skagit County Board of Commissioners met in regular session on Tuesday, January 18, 1994, with Commissioners Robert Hart and Robby Robinson present. Commissioner Wolden's absence was excused for the first two items.

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT - DAVE HOUGH, DIRECTOR:

- 1) Discussion - Urban Growth Areas.

Dave Hough reported that last week a joint community meeting was held by the Staff of the Sedro Woolley Planning Department and Skagit County Planning Department. Approximately 90 to 100 members of the public attended to learn about Sedro Woolley's proposed urban growth area. There was very little comment from those members of the public present, but those who did comment were concerned about becoming part of the City.

Mr. Hough reported that a meeting was also held with the staff of the Town of Lyman. The issue of how far west on the North side of Highway 20 the Town's urban growth area will extend was discussed most. Mr. Hough stated that with some of the smaller towns, there is some difficulty in making them understand that although there is some expectation on the part of neighboring property owners for annexation into town limits, the towns are currently incapable of providing capital facilities and urban services to all of these new properties, nor would they be able to afford it in future. Mr. Hough stated that further expansion of the Town of Lyman, and the ensuing greater population densities, may make it very difficult for the County to provide police service, which they have traditionally provided at no cost to the Town.

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Mr. Hough stated that a meeting with the City of Mount Vernon was scheduled for next week, but a death in the family of one of the Mount Vernon staff may delay this meeting.

Commissioner Hart remarked that the Board has received a number of letters from residents who do not wish to become part of the Town of Hamilton. Commissioner Robinson noted that most correspondents live to the north of Cemetery Road and west of the Town. Mr. Hough stated that his staff would not recommend expansion beyond the Cemetery or west of Muddy Creek.

Mr. Hough anticipated that a disagreement with the City of Anacortes may not be resolved in time to meet the deadline for permanent urban growth area designation.

Mr. Hough stated that he has not received any correspondence from the Town of Concrete regarding an offer of services by Skagit County under a cooperative agreement with the Town. These services would include forest practices and aquifer protection.

Andrea Xavier of Big Lake asked if all of the cities are planning to hold open houses like that held by the City of Sedro Woolley. Mr. Hough responded that not all of the cities have indicated a desire to hold an open house, although he would hope that Mount Vernon and Burlington would agree to hold an open house.

2) Discussion - Installation of Watershed Road Signs.

Christie Carpenter, an employee of the Watershed Planning Division of the Planning Department, explained that both the Padilla Bay and Samish Watershed Committees have decided that one of the ways they would like to see their educational grant monies spent is in the installation of watershed road signs. The main purpose of the signs would be to develop awareness of watersheds in the community, as well as to provide a long-term investment for the grant funds. The County roads department has advised that there are certain specifications for road sign dimension, and a requirement that the signs provide information necessary to the driving public. Ms. Carpenter stated that although the signs would not give specific driving information, they would provide a benefit to the watershed by raising public awareness. Ms. Carpenter asked for the Board's concurrence in approaching the road department to install these signs. The signs would say, "Entering Samish Bay Watershed" or "Entering Padilla Bay Watershed". A map was provided showing where signs would be placed. A total of approximately 20 signs would be installed. It is recommended that extra signs be made to replace damaged or vandalized signs. It was also suggested that a generic sign and logo should be developed for future sign construction.

Commissioner Robinson asked if the road shop could construct the signs. Ms. Carpenter stated that Ed Hawes of the Public Works Department suggested that Planning Staff contact Meyers Sign in Mount Vernon for a price quote, but she stated that she would discuss the possibility of having the road shop complete the work more fully with Mr. Hawes before going out for additional bids.

Ms. Carpenter stated that another education project being discussed in the watershed committees is to install a kiosk on Chuckanut Drive at a cost of approximately \$900, part of which will be provided by volunteer organizations. One portion of the kiosk would discuss shellfish harvesting. The kiosk would be installed with the permission of the State Department of Transportation.

The Board concurred with the installation of the watershed informational signs.

Commissioner Wolden was present for the remainder of the day's items.

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3) Discussion - Draft Environmental Impact Statement (DEIS) on County Land Use Element.

Gary Christensen, Associate Planner, provided copies of "A Vision for the Future", a publication of the Planning Department which was distributed in each subscription of the Skagit Valley Herald this weekend. Subscribers of the Anacortes American will also receive copies, as will approximately 1,400 on a mailing list compiled by Planning staff. The publication gives an overview of the Comprehensive Plan Land Use Designation Element, and advertises dates and times for public comment opportunities.

Mr. Christensen also referred to copies of the Draft Environmental Impact Statement on the Comprehensive Plan Land Use Designation Element, which the Board had previously received, and discussed the distribution process for this document. The public hearing on the Draft EIS and the Draft Land Use Designation Element will be held on January 31, 1994, in front of the Skagit County Planning Commission. Tonight and next Monday, staff will meet with the Planning Commission in work/study sessions to introduce and discuss the two documents.

Mr. Christensen reminded the Board that this DEIS is issued as part of a phased environmental impact process, which will periodically review portions of the Comprehensive Plan update as they become available.

The EIS reviews the following alternatives for response to growth management planning:

- Perform no further planning and allow the County Comprehensive Land Use Plan to continue as in the past.
- Address urban growth areas, resource lands, rural lands.
- Address rural community centers (rural village concept). Acknowledge a cultural role played by pockets of residential development.

The document discusses the impacts of each alternative and lists mitigation measures for the impacts of each alternative. Mr. Christensen stated that the DEIS discusses the potential for future growth in Skagit County and how it could be accommodated.

Mr. Christensen stated that the Land Use Element is an incorporated attachment to the DEIS, as are the interim urban growth area maps. A third appendix contains a technical report on the carrying capacity for Skagit County. The findings of the carrying capacity analysis include an estimate of how many acres of land will be required to accommodate specific residential densities. In summary, Mr. Christensen stated, it reflects that cities may not need as much land within their urban growth boundaries as was initially anticipated. Mr. Christensen stated that depending on the residential densities that are chosen, and given the number of acres that are rural and the number of persons who will be living in these areas, it is likely that lower densities and possibly some down zoning will result.

Mr. Hough discussed the value of the publication as a tool to inform the public about a process that is taking place in their community which will probably impact their lives.

4) Code Enforcement Report.

This item was provided and briefly reviewed.

5) Miscellaneous.

A) A brief discussion on the work program for the Planning Commission was held. The optional Comprehensive Plan element work programs were also briefly discussed.

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- B) A discussion on the need for a statistical analysis of the number and types of building permits issued in both incorporated and unincorporated areas was discussed. The concept of absorbing 20% of the next 20 year's growth in unincorporated territories and 80% of new growth in incorporated territory was discussed.
- C) Mr. Hough briefly discussed some recent permit applications his department is addressing.

SIGNATURE - AGREEMENTS WITH COMMUNITY ACTION AGENCY.

After a presentation of the item by Stephanie Wood, Administrative Coordinator, Commissioner Robinson motioned to approve the agreement with the Skagit Community Action Agency to provide administration of the Veteran's Relief Program, as well as a variety of family services for the indigent and under privileged in return for the County's funding of the Director's position, including benefits, \$20,600 for the services of Skagit Rape Relief and Battered Women's Services, \$14,400 for services by Friendship House, \$24,618 for the Veteran's Relief Fund, and \$13,500 for the Family Services Program. The contract will continue throughout 1994. Commissioner Hart seconded Commissioner Robinson's motion, and it passed unanimously. (Contract #001878)

MISCELLANEOUS ITEMS.

- A) John Thayer, Environmental Health Supervisor, stated that in the late 1980's an State Department of Ecology enforcement grant for illegal dumping was obtained by the Health Department. It has now evolved into a recurring grant program in conjunction with the Public Works Department. Mr. Thayer asked the Board to agree to the continuance of this grant by signing the grant agreement.

Britt Pfaff, Environmental Health Specialist, stated that the grant has two components; 1) working on moderate waste issues, i.e., developing an ordinance on moderate risk wastes in conjunction with the development of the moderate risk waste program at the incinerator, and 2) solid waste enforcement, permitting of public and private sites, and investigation of illegal dumping. The grant is a 60% - 40% matching grant, which has been in place since 1989.

Commissioner Robinson motioned to approve the grant agreement #G9400139 between the State of Washington Department of Ecology and Skagit County for \$152,763.00 on a 60/40 sharing basis, with the County's share at \$61,145. Commissioner Hart seconded the motion, which passed unanimously. (Contract #001879)

- C) The Board approved for signature the final plat of Garden Terrace, off of East Jones Road in Sedro Woolley.
- D) 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, January 18, 1994, 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 #106600 through #107196 (Vouchers #3019457/4000027 through #3020112/4000272) in the total amount of \$709,044.10. Transmittal #C-04-94.

CONSENT AGENDA.

Commissioner Robinson moved to approve the consent agenda for January 18, 1994, as presented. Commissioner Hart seconded the motion, which passed unanimously.

* Commissioners' Office:

1. Record of the Proceedings from Monday, January 10, 1994.
2. Record of the Proceedings from Tuesday, January 11, 1994.
3. Record of the Proceedings from Wednesday, January 13, 1994.
4. Personal Services Agreement for Kathie Ketcham to provide individual and family therapy in conjunction with the ARIS program from January 1, 1994 through December 31, 1994 at the reimbursement rate of \$55 per hour for individual therapy cases active before January 1994, \$60 per hour for family therapy cases active before January 1994, and \$40 per hour for cases starting after January 1994. (Contract #001180)
5. Personal Services Agreement for Certified Industrial Hygiene Services, Inc. to conduct hazardous material and air quality testing as directed by the County Risk Manager, on an on-call basis, for the period January 1, 1994 through December 31, 1994 not to exceed \$10,000 for the life of the contract. (Contract #001881)
6. Personal Services Agreement for Judith Bosworth to provide individual and family therapy in conjunction with the ARIS program from January 1, 1994 through December 31, 1994 at the rate of \$40 per hour. (Contract #001882)
7. Personal Services Agreement for Skagit Youth Services to provide individual and family therapy in conjunction with the ARIS program from January 1, 1994 through December 31, 1994 at the rate of \$35 per hour. (Contract #001183)
8. Personal Services Agreement for Susan Radkins to provide individual and family therapy in conjunction with the ARIS program from January 1, 1994 through December 31, 1994 at the rate of \$50 per hour and \$55 per hour for individual therapy and family therapy, respectively, for cases active before January 1, 1994, and \$40 per hour for all cases starting after January 1, 1994. (Contract #001184)
9. Resolution Appointing Allen Bush as a Member to the Noxious Weed Control Board effective immediately through January 11, 1998. (Resolution #15198)
10. Resolution Rescinding Resolutions #14775 and #14791 Abolishing Program for Skagit County Employees to Receive Government Rates Through U.S. West Cellular. (Resolution #15199)
11. Resolution Stating the Policy of Skagit County to Aid and Assist Indigent Veterans and their Dependents and Authorizing the Execution of an Agreement Between Skagit County, Skagit County Community Action Agency and the Skagit County Veterans Advisory Council for the Operation of a Central Relief Agency for Indigent Veterans and Their Dependents. (Resolution #15200)

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12. Memorandum of Agreement concerning on-going services to low-income Skagit County veterans and families effective August 1, 1993 and scheduled for review and reissue by July 1, 1994. (Contract #001885)

• Health:

13. Guest Speaker Contract with the Health Department and Larry David for a presentation entitled "Personal Perspectives on HIV/AIDS for the fee of \$25. (Contract #001886)
14. Guest Speaker Contract with the Health Department and Mitchell Sydnam for a presentation entitled "Personal Perspectives on HIV/AIDS for the fee of \$25. (Contract #001887)
15. Support Group Facilitator Contract with the Health Department and Jeff French for Wednesday evenings throughout 1994 at the rate of \$40 per month. (Contract #001888)

Human Services:

16. Contract Amendment #02 between Skagit County and North Sound Regional Support Network for monitoring and development services for the period January 1, 1994 through March 31, 1994 for the maximum consideration of \$58,702. (Contract #001730)

Assigned Counsel:

17. Personal Services Agreement with William R. McCann to provide professional legal services in performing all Superior Court, District Court and Juvenile Court that are considered to be conflict of interest cases for the Skagit County Public Defender's Office for the period January 1, 1994 through December 31, 1994 with compensation to occur as in Exhibit "B." (Contract #001889)
18. Personal Services Agreement with Witt Law Firm to provide professional legal services in performing all Superior Court, District Court, and Juvenile Court cases that are considered to be conflict of interest cases of the Skagit County Public Defender's Office for the period January 1, 1994 through December 31, 1994 with compensation to occur as in Exhibit "B". (Contract #001890)
19. Personal Services Agreement with Stephen R. Skelton to provide professional legal services in performing all Superior Court, District Court, and Juvenile Court cases that are considered to be conflict of interest cases for the Skagit County Public Defender's Office for the period January 1, 1994 through December 31, 1994 with compensation to occur as in Exhibit "B". (Contract #001891)
20. Personal Services Agreement with John Murphy to provide professional legal services in performing all Superior Court, District Court, and Juvenile Court cases that are considered to be conflict of interest cases for the Skagit County Public Defender's Office for the period January 1, 1994 through December 31, 1994 with compensation to occur as in Exhibit "B". (Contract #001892)
21. Professional Services Agreement with Skelton & Tims to handle a current caseload in Skagit County District Court plus 55 new referrals during the months of January and March through December 1994 (no referrals in February 1994) for a monthly fee of \$3,000 for January 1 to January 31 and \$3,000 for the period March 1 through December 31, 1994. (Contract #001893)

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22. Personal Services Agreement for Richard A. Weyrich and Thomas L. Verge to provide professional legal services in performing all Superior Court, District Court, and Juvenile Court cases that are considered to be conflict of interest cases for the Skagit County Public Defender's Office for the period January 1, 1994 through December 31, 1994 with compensation to occur as in Exhibit "B". (Contract #001894)
23. Personal Services Agreement for Stephen C. Schutt to provide legal services in performing all Superior Court, District court, and Juvenile Court cases that are considered to be conflict of interest cases for the Skagit County Public Defender's Office for the period January 1, 1994 through December 31, 1994 with compensation to occur as in Exhibit "B". (Contract #001895)

*** Public Works:**

24. Resolution Calling for Bids for One New 1994 Four-Wheel Drive Special Purpose Passenger Vehicle. (Resolution #15201)
25. Resolution Establishing C.R.P. No. 0511-2, Beaver Lake Road. (Resolution #15202)
26. Resolution Establishing C.R.P. No. 3311-3, Avon Allen Road. (Resolution #15203)
27. State of Washington Department of Ecology Grant No. G9400144 - Coordinated Prevent Grant. (Contract #001896)
28. State of Washington Department of Ecology Grant No. G9400100 - Inman Landfill Closure Project. (Contract #001897)
29. Construction Contract for Butler Lagoon Removal with Wilder Environmental. (Contract #001898)
30. Personal Services Agreement with Leonard, Boudinot and Skodje, Incorporated for Surveying Services on South Del Mar Drive, No. 1067 for the period January 10, 1994 through February 10, 1994 for a maximum consideration of \$1,500. (Contract #001899)
31. Resolution on Voluntary Transfer of Sick Leave for Barb Gibbons, who has exhausted her total sick leave and vacation leave benefits. (Resolution #15204)

HEARING EXAMINER'S RECOMMENDATION - APPROVAL OF OPEN SPACE APPLICATION #OSP-93-011 OF TED LINDBERG AND NORAH KEMBAR, 497 SOUTH SHORE ROAD, GUEMES ISLAND.

Grace Roeder, Association Planner, provided copies of an Assessor's Map and a site plan submitted by the application.

Mr. Roeder stated that the applicant owns approximately 10 acres on Guemes Island. Mr. Lindberg would like to place approximately 9 acres of his property into open space-open space designation. The purpose of the designation would be to place an area of land containing an eagles nest into the open space program. Ms. Roeder read a letter from the Department of Wildlife to Mr. Lindberg and Ms. Kembar supporting the open space designation, even though it does not normally conform to the County's policy of permitting only waterfront property to be placed in the open space designation. Ms. Roeder stated that the Department is recommending approval of Mr. Lindberg's request, without public access to the site, in order to protect the nest. Ms. Roeder stated that the Hearing Examiner has likewise recommended the approval.

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Commissioner Robinson motioned to approve the Hearing Examiner's recommendation, as well as the staff's recommendation, for an open space designation for 497 South Shore Road, Guemes Island, open space application #OSP-93-011. Commissioner Hart seconded the motion, which passed unanimously.

BID OPENING - SHERIFF'S OFFICE ALTERATIONS.

Chairman Wolden waived the reading of the Notice of Call for Bids, as published in The Skagit Argus. The following bids were received and opened:

- 1) CDK Construction
P.O. Box 663
Duvall, WA 98019

Base Bid: \$151,500.00
Addendums 1 & 2 received
Cashier's Check enclosed
- 2) Solie Builders, Inc.
7514 Juniper Dr.
Everett, WA 98203

Base Bid: \$156,000.00
Addendums 1 & 2 received
Bid Bond enclosed
- 3) Gram Construction Services, Inc.
1506 10th Pl. N.
Edmonds, WA 98020

Base Bid: \$184,901.00
Addendums 1 & 2 received
Bid Bond enclosed
- 4) Thomco Construction
2532 Broadway
Everett, WA 98206

Base Bid: \$180,503.00
Addendum #2 received
Bid Bond enclosed
- 5) P&L General Contractors, Inc.
5036 - 50th N.W.
Oak Harbor, WA 98277

Base Bid: \$158,000.00
Addendums 1 & 2 received
Bid Bond enclosed

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- 6) Newland Construction Co., Inc.
P.O. Box 958
Everett, WA 98206

Base Bid: \$185,301.00
Addendums 1 & 2 received
Bid Bond enclosed

- 7) Quantum Construction, Inc.
P.O. Box 998
Anacortes, WA 98221

Base Bid: \$160,842.00
Addendums 1 & 2 received
Bid Bond enclosed

Roger Howard, Facilities Manager, will review the bids received and return with a recommendation for award in approximately one week.

PUBLIC HEARING - SUPPLEMENTAL BUDGET.

Mike Woodmansee, Budget/Finance Director, explained that there is a need to amend the Public Health Fund #101 in the amount of \$158,942.00 to account for in-kind vaccine received by Health Department from State Department of Health. Once per year Skagit County must account for this in-kind contribution in its annual budget.

No members of the public were present to comment, and following this explanation, Commissioner Robinson motioned to close the public hearing. Commissioner Hart seconded the motion, which passed unanimously.

Commissioner Robinson then motioned to approve the resolution authorizing a supplemental budget in the amount of \$158,942.00 for the Public Health Fund. (Resolution #15205)

MISCELLANEOUS ITEMS.

- A) Mr. Woodmansee explained that on January 10 the Equipment Rental Fund had been paying a rock crushing contract. \$250,000 thought this would be the amount, however, the contractor crushed more than \$300,000, although only \$250,000 was contained within the line item. This is for material to be stockpiled and used as needed. The difference will be made up on the Land Acquisition Fund, where money is being collected to purchase a new gravel extraction area.

Commissioner Robinson motioned to approve the resolution authorizing a budget line item change to the Equipment Rental Fund in the amount of \$94,000.00. Commissioner Hart seconded the motion, which passed unanimously. (Resolution #15206)

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



Harvey Wolden, Chairman

Robby Robinson

Robby Robinson, Commissioner

Robert Hart

Robert Hart, Commissioner

ATTEST:

Stephanie Wood

Stephanie Wood, Clerk
Skagit County Board of Commissioners