

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

Monday, February 14, 1994

Flag Salute.

9:00 a.m. - 10:00 a.m.

Board of Health - Pat Pearce, Director

- 1) Signature - Resolution on the Prevention of HIV/AIDS and Other Sexually Transmitted Diseases Among School-Age Youth.
- 2) Big Rock Store - Potential Enforcement Action.
- 3) Schedule of Charges - Proposed Procedure to Allow Billing the Maximum Allowable Rate Through DSHS.
- 4) Compliance with State Compost Rules.

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

Public Works Department - Rich Medved, Director

- 1) Signature - Personal Services Agreement with Cornelius Koning for Caretaker/Routine Maintenance Work on Britt Slough Pump.
- 2) Miscellaneous.

11:00 a.m. - 11:15 a.m.

Consider Apiarists (Beekeepers) Request for Support Letter for Domestic Honey Industry.

CONSENT AGENDA.

MISCELLANEOUS.

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

Executive Session - Personnel, Litigation and Land Acquisition.

The Skagit County Board of Commissioners met in regular session on Monday, February 14, 1994, with Commissioners Robert Hart, Robby Robinson and Harvey Wolden present.

HEALTH DEPARTMENT - Pat Pearce, Director.

1. Resolution on the Prevention of HIV/AIDS and Other Sexually Transmitted Diseases Among School-Age Young.

Kay Van Stralen, Health Department Staff, reviewed with the Board a letter directed to the Skagit County Health Department from the Washington State Board of Health which mandates local health officials to adopt the following 1994 plans and goals concerning sexually transmitted diseases:

1. Offer their assistance and resources, as available, to help community agencies and school districts institute and/or expand education programs to delay sexual activity, including the development of negotiation and assertiveness skills;
2. Help strengthen local programs to prevent the transmission of sexually transmitted diseases by those who are sexually active;
3. Help communities, including school districts, assure that condoms are easily accessible to sexually active youth;
4. Use the public health functions of assessment and policy development to identify locally appropriate methods for assuring condom availability and instructions for proper use by sexually active youth; and

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5. Within one year provide the Board, through the AIDSNETS, with descriptions of local health department/districts' plans and activities responding to Points 1-4 above. (To this end, time has been designated for an AIDSNETS briefing during the October 12, 1994 Board meeting).

Rob Haverty, Health Department Staff, advised the Board that in order to meet the State mandates, the County is active in local schools promoting prevention. Staff distributed a graph indicating pregnancy rates for the last five years showing that Skagit County has a higher rate of teenage pregnancy than the state average.

Mr. Haverty also noted that HIV/AIDS takes 9-10 years from acquiring the virus to appear in reporting procedures, consequently these statistics do not show up until the victims are approximately 24 to 25 years of age. In light of this, the County Health Department has come up with a four-fold plan in addressing these issues:

1. Presentations in classrooms combined with student evaluations;
2. Development of peer advisory groups in school districts, having students define their own programs.
3. Development of a community task force that will help parents develop healthy attitudes and generate concern.
4. Evaluation of the program to see how effective the pilot program is.

Commissioner Robinson asked about abstinence education. Mr. Haverty advised that the major stumbling block in talking about condoms is that the subject has not been given parental permission for discussion topics in the public schools. Staff reported that most teachers and faculty members are aware of the sexual activity level of their students. Major roadblocks to further education include time, money and parental consent. As parents are educated, so are the students, and community awareness and support are key elements necessary to success of any program. The initial thrust has to be with the parents. The Board indicated that until the parents get involved, the program will not be successful.

Staff would like to begin initialization of the HIV/AIDS program in the school districts within the County. The Board stressed the need for parents to become involved in these programs.

2. Big Rock Store - Potential Enforcement Action.

John Thayer introduced Randy Audette, owner and operator of the Big Rock Store. Mr. Thayer presented a map to the Board showing the actual location of the store. Mr. Thayer reviewed with the Board a memo to the Skagit County Board of Health concerning background information and water supply information. The existing water system is inadequate, with a shallow dug well, and overall poor quality and yield. Mr. Audette uses Cascade Clear bottled water to make espresso and for other routine functions at the store.

In 1987, it was determined that the lot was of sufficient size to provide a site for a new well. Resolution #11485 gave the owner five years to bring this property into compliance with the State Board of Health. In 1993 there was an additional well drilled which produced very limited quantities of water. Other locations within the immediate area re in the same situation. The closest source for PUD water is a considerable distance away and will cost \$100,000 to \$150,000 to connect.

If no new water supply is obtained by April of this year, the permit for the grocery store/convenience store

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should be suspended according to Health Department Staff. Staff wanted to acquaint the Board with the history of this situation and seek the Board's input concerning what action should be taken. Staff is recommending that if there is no new water source obtained by April, the permit be suspended and a fine of \$100 per day be enforced.

The Board clarified the nearest source of PUD water. Mr. Thayer advised that there are no developments in the near future that will bring PUD water any closer to the store. Most other facilities in the area are private residences with shallow wells or small community systems. These people are not compelled to upgrade unless their existing development is expanded. Staff also noted that a landlord must provide safe water for his tenants. There currently is no proposal for public water installation in the near future. Chairman Wolden confirmed with Staff that the two wells do not provide adequate water both in quantity and quality.

Mr. Audette advised that his preference is to connect to PUD water. He stated that he is willing to pay his fair share rather than spending more money on wells with the uncertain probability of an adequate water supply.

Mr. Thayer advised the Board that Mr. Audette is holding the menu at the store to 1988 levels, but needs to continue to work at providing a better water source for the store. Public Health will continue to work with those in the area to develop a quality water source. Commissioner Hart asked for clarification of where the PUD water lines actually exist. Chairman Wolden ascertained that Mr. Audette's store is basically sitting in "no man's land" as far as service from PUD water is concerned.

Commissioner Robinson indicated his concern that the store should remain in business but also noted that that there has already been a six-year period of time that has elapsed. Mr. Audette stated that he feels that it is the former owner's widow, Georgia Schopf's, responsibility to help develop an adequate water source. According to Staff, John Moffat, Prosecuting Attorney, has indicated to the Health Department that fines cannot be assessed against Mrs. Schopf as she was not listed in the resolution as an heir or assign of Mr. Schopf, and consequently the resolution does not apply to Mrs. Schopf in Mr. Moffat's opinion. The Board indicated their willingness to assist Mr. Audette in finding a resolution to the water quality problem.

The Health Department was instructed by the Board to continue working on the problem with those concerned, and should meet again with the Prosecuting Attorney to determine if Ms. Schopf is responsible for fulfillment of the terms of the resolution previously committed to by her late husband.

3. Schedule of Charges - Proposed Procedure to Allow Billing the Maximum Allowable Rate Through DSHS.

John Thayer, Health Department Staff, reviewed a memorandum to the Skagit County Board of Health regarding a schedule of charges and adoption by reference of DSHS fees. To implement the revisions would require repeating the process of briefing the Board at monthly meetings, publishing the announcement of a public hearing, and holding a public hearing before the Board. Mr. Thayer is proposing a new resolution which he presented to the Board for review. He informed the Board that this proposed resolution has been reviewed with John Moffat. The Board concurred with Staff the principle of adopting by reference the latest state agency approved fees.

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Staff asked the Board to set a public hearing to revise the schedule of charges at which time the latest Healthy Kids (EPSDT) Screening fees will be considered. Commissioner Hart moved to set the public hearing as recommended by Staff. The motion was seconded by Commissioner Robinson, and unanimously passed.

4. Compliance with State Compost Rules.

Britt Pfaff updated the Board on a meeting held on January 26, 1994 wherein the Health Department sponsored a meeting with people interested in commercial composting operations. The purpose of this meeting was to discuss the permitting requirements for commercial composting facilities. She advised that one compost operation recently obtained a permit and there are several other existing operations which do not have permits and are involved in the process. The Health Department is working with the existing operations to help them through the timeline and requirements and to come into compliance with the rules. A compliance schedule has been developed. The purpose of the compliance schedule is to ensure that all compost facilities are operating on an even playing field and that the rules are fairly applied to all the operations.

In the interim, existing facilities are being placed on the compliance schedule and are obtaining interim permits.

PUBLIC WORKS DEPARTMENT - Rich Medved, Director.

1. Signature - Personal Services Agreement with Cornelius Koning for Caretaker/Routine Maintenance Worn on Britt Slough Pump.

Dave Brookings, Public Works Staff, asked the Board to sign a Personal Services Agreement with Cornelius Koning for caretaker/routine maintenance work on the Britt Slough Pump. Mr. Brookings advised the Board that Mr. Koning lives near the pump, and that this written agreement solidifies performance of routine maintenance work on the pump at Britt Slough. Commissioner Robinson moved to approve the Personal Services Agreement for signature. Commissioner Hart seconded the motion, which unanimously passed.

2. Miscellaneous.

No miscellaneous items were presented for review.

CONSENT AGENDA:

- Commissioners' Office:

1. Record of the Proceedings from Monday, February 7, 1994.
2. Record of the Proceedings from Tuesday, February 8, 1994.
3. Resolution Amending Resolution #15144 Establishing Skagit County Law and Justice Counsel and Setting the Number of Representatives and Appointing Members. (Resolution #15233)
4. Personal Services Agreement with Julian Byrd in conjunction with the ARIS Program for the period January 1, 1994 through December 31, 1994 to provide individual and/or family therapy at the following rates for 45-50 minute sessions: \$40 per hour for individual and/or family

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therapy, \$50 per hour for educational classes, \$60 per hour for groups and \$20 per hour for travel time. (Contract #01934)

5. Memorandum of Agreement with CommonGround: The Dispute Resolution Center of Skagit County to provide mediation and related dispute resolution services from January 1, 1994 through December 31, 1994 at the rate of \$3,416.67 per month. (Contract #01935)

* Assigned Counsel:

6. Personal Services Agreement with Thomas R. Kamb for the term January 1, 1994 through December 31, 1994 for compensation as detailed in Exhibit "B" thereto, providing professional legal services in court cases that are considered to be conflict of interest cases for the Skagit County Public Defender's Office. (Contract #01936)

• Records Management:

7. Contract Amendment #1 Between Skagit County Department of Records Management and The Division of Archives & Records Management, Office of Secretary of State, for the term July 1, 1993 through June 30, 1995, increasing the original total project cost from \$1,986.90 to \$10,727.15.

* Planning Department:

8. Resolution Calling for Public Hearing Consideration of Interim Impact Mitigation Fees for Conway School District. (Resolution #15234)
9. Contract for Professional Services between Skagit County and the Skagit Conservation District as outlined in the Skagit Conservation District Annual Plan of Work (Attachment "A") for the term January 1, 1994 through December 31, 1994 for the contract amount of \$25,000. (Contract #1937)

* Public Works:

10. Supplemental Agreement #1 to Contract between Skagit County and Skagit Surveyors, Inc. amending the Scope of Work for the term December 6, 1993 through March 1, 1994, increasing the original contract amount of \$8,200 to \$12,164. (Contract #01843)
11. Resolution Calling for Public Hearing to Consider Amending the Current 1963 Edition of the Skagit County Code Section 11.24.010, Title 11, Chapter 11.24 Roads and Bridges. (Resolution #15235)
12. Resolution Initiating a County Road Project No. 0350-1, Bamboo Lane. (Resolution #15236)
13. Resolution Initiating a County Road Project No. 3101-1, Farm-to-Market Road. (Resolution #15237)
14. Resolution Rejecting Bids for Purchase of One Special Purpose, Four-Wheel Drive Passenger Vehicle. (Resolution #15238)

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15. Personal Services Agreement with Emcon Northwest, Inc. to provide wetlands delineation services during the term February 14, 1994 through August 1, 1994 for total compensation of \$7,300. (Contract #01938)
16. Resolution Calling for a Public Hearing for Vacation of a Portion of County Right-of-Way Known as Hillwood Drive #3582. (Resolution #15239)

Commissioner Robinson moved to approve the Consent Agenda for Monday, February 14, 1994, excluding #7, requesting further clarification from Records Management Staff of the large discrepancy in this contract amount. Commissioner Hart seconded the motion, which unanimously passed.

MISCELLANEOUS:

1. The Board noted that the appointment of a board member to the Skagit County Housing Authority Board of Commissioners is necessary at this time. Chairman Wolden moved to appoint Shirley Osborn to the Skagit County Housing Authority Board of Commissioners, and the motion was seconded by Commissioner Hart. The motion unanimously passed. (Resolution #15232)
2. 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, February 14, 1994, the Board, by a majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

Voucher numbers 4000678/3020518 through 4001463/3020531 (Warrant numbers 107774 through 108407) in the total amount of \$410,282.14 (Transmittal #C09-94).

CONSIDER APIARISTS (BEEKEEPERS) REQUEST FOR SUPPORT LETTER FOR DOMESTIC HONEY INDUSTRY.

Howard Foster, Foster Apiaries, presented to the Board a draft letter to President Clinton for signature concerning support for the domestic honey industry. The letter points out that the beekeeping industry suffers from a sensitivity to market conditions, as evidenced by the International Trade Commission's recent findings that honey imports from China are disrupting the domestic honey market. Chairman Wolden moved to sign and send the letter to President Clinton, Commissioner Hart seconded the motion, which unanimously passed.

ADJOURNMENT:

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

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON



Harvey Wolden

Harvey Wolden, Chairman

Robby Robinson

Robby Robinson, Commissioner

Robert Hart

Robert Hart, Commissioner

ATTEST:

Patti J. Owen

Patti J. Owen, Clerk
Skagit County Board of Commissioners