

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

Monday, March 14, 1994

Flag Salute.

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

Board of Health - Pat Pearce, Director.

- 1) Manager Certification Awards.
- 2) Public Hearing on Proposed Revisions to the Skagit County Health Department Schedule of Charges for Well Child Clinic Fees.
- 3) Public Health Nursing Presentation.
- 4) Injury Prevention Coalition.

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

Public Works - Rich Medved, Director.

- 1) Introduction of New Employee, Scott Nutter.
- 2) Discussion - Solid Waste Funding Mechanisms.
- 3) Discussion - Washington State Utility and Transportation Petition to Close Railroad Crossings at: A) Milltown Crossing; B) Spruce Street Crossing (Conway); C) Green Road Crossing; D) Boe Street (Bow).
- 4) Resolution - Calling for Bids - Inman Landfill CDL Cell and Phase I Closure.
- 5) Discussion - 1994 Guard Rail Project.
- 6) Resolution - Calling for Bids - Guardrail Project on Farm-to-Market Road, et al.
- 7) Right-of-Way Plans - Chilberg Road Project.
- 8) Final Cost Records - Old 99 North C.R.P. 5051-6.
- 9) Final Cost Records - Pioneer Highway C.R.P. 8009-1.
- 10) Miscellaneous.

CONSENT AGENDA.

MISCELLANEOUS.

1:30 p.m. - 2:00 p.m.

Public Hearing - Budget Amendments.

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

Facilities Management - Roger Howard, Director.

- 1) Call for Bids - Miscellaneous ADA Projects Around County Campus.
- 2) Discussion - Juvenile Probation Remodel Project.

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, March 14, 1994, with Commissioners Harvey Wolden, Robert Hart and Robby Robinson present.

BOARD OF HEALTH - Pat Pearce, Director.

1. Manager Certification Awards.

Corinne Story, Health Department Staff, advised the Board that a Food Manager Certification Course was again taught by Lyle Hildahl of Skagit Valley College in January and early February of this year. Thirty-seven participants attend this course, with all but two of the participants representing Skagit County Food Service Establishments. Staff presented certificates and acknowledged those who participated in the program.

2. Public Hearing on Proposed Revisions to the Skagit County Health Department Schedule of Charges for Well Child Clinic Fees.

John Thayer, Health Department Staff, advised that the Board had been previously briefed on the need to update the Skagit County Health Department schedule of charges applicable to the water laboratory, environmental health, nursing, clinical laboratory and vital records. Chairman Wolden opened the public hearing on this matter. There being no public comment forthcoming, Commissioner Robinson moved to close the public hearing. Commissioner Hart seconded the motion, which passed unanimously. Commissioner Hart then moved to adopt the Schedule of Charges applicable to the water laboratory, environmental health, nursing, clinical laboratory and vital records. Commissioner Robinson seconded the motion, which passed unanimously. (Resolution to be provided by Staff at a later date).

3. Public Health Nursing Presentation.

Pat Pearce advised the Board that Public Health Week has been declared to be April 2-8, 1994. A presentation was made by Public Health Nurses celebrating the 101st anniversary of public health nursing. Several members of the Public Health Nursing Staff made presentations and advised that the commitment to making a difference in human lives is the major undertaking of public health nursing. The Skagit County Health Department Public Health Nurses' mission is to promote a productive and healthy community through assessment, policy development and assurance. Assessment is the regular collection, analysis and sharing of information. Policy Development is development of local and state health policies based on assessment data. Assurance focuses on collaboration by health agencies and private providers to assure health polices are implemented. The 3 P's of Public Health Nursing are Prevention, Protection and Promotion. Various examples of preventing disease and promoting general good health were presented.

A video was viewed by the Board showing appreciation for our public health nurses from some of their clients.

Health Department Staff expressed their appreciation to the Board for their support and advised that no other county in Washington State has this type of collaboration.

4. Injury Prevention Coalition.

Maryl Skjei advised that she and Corinne Story have identified injury prevention as an area of urgent need in the County. The incidence of intentional and unintentional injuries can be reduced through the implementation of methods and strategies that have been used in the past to reduce public health threats, with the focus on prevention. The Skagit County Health Department proposes to be a strong partner with other agencies, departments and organizations in the community in injury prevention through the implementation of the core public health functions of assessment, policy development and assurance. The Injury Prevention Program will focus on motor vehicle and pedestrian injuries, safety in the home, and

violence prevention. Ms. Skjei asked the Board to approve, promote and facilitate injury prevention efforts in Skagit County.

PUBLIC WORKS - Rich Medved, Director,

1. Introduction of New Employee, Scott Nutter.

Doug Barnet, County Engineer, introduced to the Board Scott Nutter, a new Engineering Technician III in the Public Works Department.

2. Discussion - Solid Waste Funding Mechanisms.

Rich Medved, Director of Public Works, introduced this item to the Board by advising that several members of the community were present to discuss the establishment of solid waste districts within the County. Ric Boge, Public Works Department Staff, presented a chart showing a solid waste tipping fee breakdown. The Board was advised that in the absence of cost reductions or any other revenue producing items, and with the closing of Inman Landfill and Butler Lagoon, the tipping fee will have to be raised to amortize the cost of landfill work and other increases in operating costs. Even if costs are reduced, alternate sources of increased revenue are the items for discussion.

Mark Backland, Anacortes citizen and member of the Solid Waste Advisory Committee (SWAC), stated that he is curious how the solid waste districts would be defined. Staff advised that disposal districts/collection districts would require mandatory curbside collection throughout the County. This would require everyone to have curbside collection with the theory being that such mandatory collection would help curtail illegal dumping activity as citizens would be paying for collection. Many of the costs under regulations are general liabilities of the whole county. Mandatory collection would help spread the costs over the entire County.

Ernie Dahl asked Staff about similar implementation of such a program in Whatcom County and the success thereof. Per Rich Medved, one-third of the people in Whatcom County have claimed exemption loopholes and consequently, disposal collection districts are not working there because there are too many lenient loopholes for individuals to take. Limiting exemptions would have to be a major consideration in implementing a disposal district plan in Skagit County. Mr. Medved stated that the County would not be forming the disposal/collection districts today, that the Board is seeking input and general discussion for the feelings of the community. The Public Works Department is trying to ascertain whether the public is interested in proceeding with the study of disposal/collection districts for Skagit County. Mr. Medved stated that such districts did not work well in Whatcom County, but worked well in Lewis County. Other states have achieved good results. The County needs to address continued costs, and a more equitable method of covering those costs.

Mr. Backman asked if collection districts could be geared to pay for themselves and then add to general revenues. Mr. Backman expressed the hope that any fee schedule set up would not discourage people from recycling and that there would be no penalty for recycling.

Rory Denaven, EDASC, stated that he is glad to see the County looking at other options and alternatives, and encouraged a study to determine what other counties and states have done to curb illegal dumping and promote recycling.

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Commissioner Hart stated that a large part of the regulation portion of the breakdown presented is caused by past sins, and that these costs need to be equally shared County-wide and are everyone's responsibility. Commissioner Hart indicated that he does not trust the numbers as presented, and would like to see more detailed information. Chairman Wolden concurred with Commissioner Hart on the possible distortion of the numbers as presented.

Commissioner Hart noted that recycling costs are basically included in regulations. Mr. Boge explained that "regulations" include training, recycling operations, environmental testing, legal services, addressing environmental issues and requirements, hauling leachate from the landfill, planning costs, special programs, educational programs, debt service for closing the landfill, administrative costs, running the incinerator, transfer station, and the processing system to clean up the waste going into the incinerator, Inman operations until closure, maintenance on post-closure items at Inman Landfill, compactor site operations, long-haul for ash and for CDL wastes, and debt service on the incinerator.

Dean Maxwell, 4505 San Juan Avenue, Anacortes questioned Mr. Boge regarding the fact that in 1996 operations costs will be \$77.40 and that 32% of that budget is the incinerator budget plus 9% is for long hauling of ash for a total of 40% of the budget. If those numbers are accurate, why continue to operate the incinerator if it costs the County an inordinate amount of money.

Bill Stensland, Mount Vernon, stated that his only fear in forming new districts is that the general public will lose control if the districts would be run the same as drainage districts and that increased taxation within the districts could occur without voter approval.

Tim Crosby, Waste Management, asked if the County is working on adding the regulatory portion of solid waste disposal to the tax roles.

Commissioner Hart indicated that the County needs to continue working on ways to cut down costs with increased composting and recycling. In the long term there will be increased benefit to the County, but these items are not cost-effective at this time.

Mr. Backman suggested the County should study the formation of collection/disposal districts, that a need exists to answer the types of questions raised at today's discussion.

Mr. Dahl stated that selling taxing districts to the public would be most difficult and that County collection of garbage should be self supporting. Mr. Dahl further advised that perhaps some sort of sunset clause could provide in time for taxes to disappear and disposal districts to be self-supporting.

Commissioner Hart stated that before any final decision is made, it will be necessary to have a high level of confidence in the numbers generated and the County needs to know if the County is competitive with the private sector.

Mr. Stensland stated that it appeared to be the general consensus of those present that additional meetings and discussions need to be held prior to any decided implementation of disposal/collection districts. Chairman Wolden concurred with this remark.

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3. Discussion- Washington State Utility and Transportation petition to Close Railroad Crossings at A) Milltown Crossing; B) Spruce Street Crossing (Conway); C) Green Road Crossing; D) Boe Street (Bow).

Robin LaRue, Public Works Staff, advised that they have received a Petition from Washington Utilities and Transportation Commission. Burlington Northern Railroad Company is requesting that four Railroad Crossings be closed as follows: 1) Milltown Crossing, 2) Spruce Street Crossing (Main Street in Conway), 3) Green Road Crossing, and 4) Boe Street (Town of Bow).

Mr. LaRue advised that the Board has 20 days to respond and can either agree to close the crossings or propose public hearings to discuss the closures.

Mr. LaRue reviewed the particulars of each proposed crossing closure. The Public Works Department recommends that public hearings be held on the proposed crossing closures. The hearing would be run by the Transportation and Utilities Commission.

Harry Smith, a property owner on Green Road, stated that he is opposed to the closure of the Green Road Crossing due to the inconvenience to property owners and lack of resulting proper fire protection measures. Mr. Smith stated he will oppose this crossing closing vigorously for protection of his property value.

Commissioner Hart moved to request a public hearing on this matter. Commissioner Robinson seconded the motion, which was unanimously passed.

4. Resolution - Calling for Bids - Inman Landfill CDL Cell and Phase I Closure.

Dave Rubio, Public Works Staff, presented a Resolution Calling for Bids on Inman Landfill Construction, Demolition and Landclearing (CDL) Cell and Phase I Closure. Commissioner Robinson moved to approve this Resolution and Commissioner Hart seconded the motion. The motion was unanimously approved. (Resolution #15267)

5. Discussion - 1994 Guard Rail Project.

Doug Barnet, County Engineer, advised the Board that as part of the Annual Construction Program, Public Works identifies areas for the installation of guardrail. The guardrail locations are prioritized by which site receives the greatest benefit for the dollar spent. During the review process of the program, locations that are candidates for guardrail were identified.

Commissioner Robinson moved to approve the deviations as requested. Commissioner Hart seconded the motion, which passed unanimously. (Resolution to be presented at a later date by Staff).

Commissioner Hart asked Mr. Barnet for clarification of two areas now designated to have guardrails installed. Mr. Barnet explained that the one at Samish Island will be 800' rather than 1700'. This area sees 1,000 to 1,500 automobiles per day and ranks fairly high on the priority list. Mr. Barnet advised the Board that it is his recommendation that the County proceed with the installation of this guardrail. The Board indicated their concern for the public's safety, but also the possible infringement on the homeowner's view.

The second area of concern is Dodge Valley. Mr. Barnet reported that guardrails can be installed for approximately \$16,000. The incident rating is not high enough to justify putting this area on the priority list,

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even though there have been two fatalities at that location. Reports indicated that there is no definite accident pattern in the past three-years to justify installation of a guardrail. Commissioner Hart stated that this is a highly emotional issue and location. Mr. Barnet indicted that this area will be included under spot safety improvements rather than in the guardrail program.

6. Resolution - Calling for Bids - Guardrail Project on Farm-to-Market Road, et al.

Staff presented a Resolution calling for bids for a guardrail project on Farm-to-Market Road. Commissioner Hart moved to approve this resolution. Commissioner Robinson seconded the motion, which unanimously passed. (Resolution #15268)

7. Right-of-Way Plans - Chilberg Road Project.

Right-of-Way acquisition plans for the area along the Chilberg Road were presented to the Board for signature. The Board signed the necessary documentation.

8. Final Cost Records - Old 99 North C.R.P. 5051-6.

Mr. Barnet presented a record book to the Board for signature approving the Final Cost Records for this project. The Board signed the necessary documentation.

9. Final Cost Records - Pioneer Highway C.R.P. 8009-1.

Mr. Barnet presented a record book to the Board for signature approving the Final Cost Records for this project. The Board signed the necessary documentation.

CONSENT AGENDA.

Commissioner Robinson moved to approve the Consent Agenda for March 14, 1994. Commissioner Hart seconded the motion, which passed unanimously.

* Commissioners' Office:

1. Record of the Proceedings from Monday, March 7, 1994.
2. Record of the Proceedings from Tuesday, March 8, 1994.
3. Record of the Proceedings from Wednesday, March 9, 1994.
4. Personal Services Agreement with Larry D'Arienzo in conjunction with the ARIS Program for individual or family therapy at a rate of \$55 per hour for the period January 1, 1994 through December 31, 1994. (Contract #01974)
5. Memorandum of Agreement with Mount Vernon Chamber of Commerce/Skagit Valley Tulip Festival for planning, organizing and operating the Annual Tulip Festival for the period January 1, 1994 through December 31, 1994 for the total amount of \$10,000. (Contract #01975)

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6. Memorandum of Agreement with The Lincoln Theater Center Foundation for improvement of the Lincoln Theater facility as Skagit County's community film and performing arts center through construction of roof repairs, for the period January 1, 1994 through December 31, 1994 for a total consideration of \$3,000. (Contract #01976)
7. Memorandum of Agreement with Concrete Chamber of Commerce for tourism promotion including advertisement in the International Loop and Argus travel guides, "Sockeye Express" publication and visitor center staffing for the period January 1, 1994 through December 1, 1994 for a total consideration of \$3,000. (Contract #01977)

* Public Works:

8. Resolution Regarding Transfer of Contractual Assignment from Fred Miller Marketing and Consulting to The Next Step Association. (Resolution #15269)
9. Resolution Establishing Parking Restrictions on Lake Sixteen Road, #8479. (Resolution #15270)
10. Supplemental Agreement No. 1 to Contract with Perteet Engineering, Inc. for Cook Road/Old 99 Signalization amending the time of completion to add 40 calendar days to the contract time. (Contract #01740)
11. Ordinance Amending Skagit County Code 11.24.010 to Incorporate the Current Edition of the Standard Specifications. (Ordinance #15271)
12. Final Cost Record for Pipeline Road, C.R.P. 9325-1.
13. Final Cost Record for Robson Road, C.R.P. 2441-3.
14. Resolution Authorizing Additional Funding for Completion of the Construction of a Bus Turnaround on Trumpeter Lane, C.R.P. #7701-1 in the amount of \$8,126.39, and Estimate of Cost Form for Trumpeter Lane, C.R.P. #7701-1. (Resolution #15272)
15. Final Cost Record for Trumpeter Lane, C.R.P. 7701-1.
16. Resolution Authorizing Funding for the Construction of a Bus Turnaround for Deadend Street, Taylor Road, C.R.P. No. 0605-2, in the amount of \$8,172.27, and Estimate of Cost for Taylor Road, C.R.P. No. 0605-2. (Resolution #15273)
17. Final Cost Record for Taylor Road, C.R.P. #0605-2.
18. Resolution Authorizing Additional Funding for Completion of Minor Construction Improvements to Granstrom Road, C.R.P. No. 0085-2, in the amount of \$45,236.55, and Estimate of Cost for Granstrom Road, C.R.P. No. 0085-2. (Resolution #15274)
19. Final Cost Record for Granstrom Road, C.R.P. #0085-2.

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* **Parks:**

20. Out of State Travel Request for Steve Colby to attend Northwest National Recreation and Parks Association Regional Conference in Harrison Hot Springs May 5-7 for a total of \$417.

* **Planning Department:**

21. Resolution Concerning an Open Space Application of Ted Lindberg and Norah Kembar. (Resolution #15275)
22. Resolution on An Appeal Regarding a Reconsideration and Decision by the Hearing Examiner Relating to Special Use Permit No. 92-018 - Chuckanut Crest Golf Course. (Resolution #15276)
23. Resolution Approving Rezone Request No. 92-002 by Clark's Skagit River Cabins. (Resolution #15277)
24. Resolution Denying Administrative Appeal of Xavier and Sandra Grospe. (Resolution #15278)
25. Resolution Approving a Modification of Conditions for Cedar Ridge Planned Unit Residential Development. (Resolution #15279)
26. Ordinance Amending Ordinance No. 15038 Relating to the Establishment of Interim Urban Growth Areas for Cities and Towns Within Skagit County. (Resolution #15280)
27. Resolution Upholding Hearing Examiner's Decision Regarding An Appeal of a Mitigated Determination of Nonsignificance Issued Jointly by the City of Anacortes and Skagit County. (Resolution #15281)

* **Facilities:**

28. Amendment "B" to Contract with Cheney/Page Architects for Skagit County Juvenile Probation Remodel changing the dollar amount in paragraph "e" of Amendment "A" from \$15,000 to \$19,660. (Contract #00930)

* **Human Services:**

29. Resolution Appointing Designated Mental Health Professionals, Kathryn K. Hansen, M.Ed., and Janet Cunniffe, M.S.W. (Resolution #15282)

MISCELLANEOUS.

1. The Board was asked by Staff to sign a Call for Public Hearing on the Appeal by Jack Hilde of Administrative Decision. Commissioner Hart moved to approve the Resolution as presented. Commissioner Robinson seconded the motion, which passed unanimously. (Resolution #15283)

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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, March 14, 1993, 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 4002199/4FID000000/4EL40000062-4EL40000074, 401040000044-401040000078 through 4002886-4FID0000029 (Warrants 109000 through 109526) in the total of \$497,233.09 (Transmittal #C-11-94).

PUBLIC HEARING - BUDGET AMENDMENTS.

Mike Woodmansee, Budget/Finance Director, presented a resolution authorizing supplemental budget. Mr. Woodmansee noted that this resolution would approve funding for River Improvement Fund #110 in the amount of \$114,000, County Road Fund #117 in the amount of \$340,000, and Stormwater Control Fund #141 in the amount of \$85,000. There being no public comment forthcoming, Commissioner Hart moved to close the public hearing. Commissioner Robinson seconded the motion, which passed unanimously. Commissioner Robinson moved to approve the budget amendments as presented. Commissioner Hart seconded the motion, which passed unanimously. (Resolution #15284)

FACILITIES MANAGEMENT - Roger Howard, Director.

1. Call for Bids - Miscellaneous ADA Projects Around County Campus.

Roger Howard, Director of Facilities, presented a call for bids for miscellaneous ADA projects around the County campus. Mr. Howard reviewed each of these projects with the Board. Commissioner Robinson moved to approve the call for bids for miscellaneous ADA projects. Commissioner Hart seconded the motion, which passed unanimously. (Resolution #15285)

2. Discussion - Juvenile Probation Remodel Project.

Mr. Howard then advised that Lyle Poolman, Director of Juvenile Probation, has some concerns he would like to express concerning the Juvenile Probation Remodel Project. Mr. Poolman reviewed with the Board specific concerns he has about the remodelling project and the potential inadequacy of the remodelled facility at the completion of the project. After lengthy discussion, it was the Board's general opinion that the County should proceed with the remodelling project as previously approved.

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