

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

**Monday, August 8, 1994**

- 9:00 a.m. - 10:00 a.m.            Board of Health - Pat Pearce, Director.
- 1)     Introduction of New Staff.
  - 2)     Request for Waiver to Skagit County Code Chapter 12.48 for Madden, Munsell and Nelson of Guemes Island.
  - 3)     Briefing on Revisions to Skagit County Code Chapter 12.36 Regarding Food Service Requirements.
  - 4)     Oral Health Issues.
  - 5)     Miscellaneous.
- 10:00 a.m. - 11:00 a.m.        Public Works Department - Rich Medved, Director.
- 1)     Public Hearing - Consideration of Vacation of Unused County Right-of-Way Known as Sterling Hill Access Road.
  - 2)     Signature - Personal Services Agreement with Industrial Mowing and Spraying - Annual Sub-Flood Control Zone Maintenance.
  - 3)     Miscellaneous.
- CONSENT AGENDA.**
- MISCELLANEOUS.**
- 1:30 p.m. - 2:30 p.m.            Continuation of Discussion - Prairie Road Improvements.
- 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, August 8, 1994, with Commissioners Harvey Wolden, Robby Robinson and Robert Hart present.

**BOARD OF HEALTH - Pat Pearce, Director.**

1.     Introduction of New Staff.

John Thayer, Health Department Staff, introduced to the Board new employees Pat Moore and Kristi Reynolds, and briefly described their duties.

2.     Request for Waiver to Skagit County Code Chapter 12.48 for Madden, Munsell and Nelson of Guemes Island.

Ken Willis, Health Department Staff, briefly reviewed this request for waiver to Skagit County Code Chapter 12.48 for a group of individuals named Madden, Munsell and Nelson on Guemes Island. This property lies within a sea water intrusion sensitive area, classified as such because it is short on water or has some sort of contamination. Mr. Willis advised that the requirement for 4 wells is overkill and would be an onerous burden for the owners of the property. The water code states that the Health Officer, with the concurrence of the Board of Health, can waive the provisions of the code as long as such a waiver is consistent with the intent of the regulations and does not create a public health hazard. Mr. Willis advised that this request

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fulfills these conditions, and Staff recommended to the Board that they concur with the Health Officer's desire to issue this waiver.

The Board queried Mr. Willis on the size of the lots, and the code requirement of documented water. Commissioner Robinson stated that it must be understood that water may not be available in the future due to salt water intrusion. Chairman Wolden indicated that notes should be made on the plat map to indicate possible water supply problems. Commissioner Hart indicated his concern that everyone should be aware in advance of such water supply problems and that such notification should be prominently placed on the requisite deeds.

A discussion ensued on various methods of obtaining water in such a salt water intrusion area.

Commissioner Robinson moved to approve the waiver to Skagit County Code Chapter 12.48 for Madden, Munsell and Nelson of Guemes Island. Commissioner Hart seconded the motion, which was unanimously approved. (Resolution to be provided by Staff at a later date).

3. Briefing on Revisions to Skagit County Code Chapter 12.36 Regarding Food Service Requirements.

Corinne Story, Health Department Staff, advised that this is a housekeeping item necessary for adherence with the State Board of Health food code adopted in May of 1992. When the State Code was adopted, licensees were informed by the County of the changes in requirements, and since that time the County has been operating and inspecting under the State Code requirements. The local codes have not been changed to reflect the revisions in the State Code. Consequently, the Health Department would like to request a public hearing for the next Department of Health session to consider adopting these revisions to the Skagit County Code. Commissioner Hart motioned to request a public hearing on this matter for the second Monday in September, September 12, 1994. Commissioner Robinson seconded the motion, which was unanimously approved. (Resolution to be provided by Staff at a later date).

4. Oral Health Issues.

Barb Meier, Public Health Nurse, advised the Board that 25% of adults within the County have a dental health situation that calls for a referral for dental work. Low income children and adults who receive Medicaid coverage have limited or no access to dental health services. Ms. Meier advised that a significant number of requests for referral to dental providers are received by the Health Department every year. Access remains very limited and tooth pain is often a factor that is required to receive care when payment is not available. Most of Skagit County has a non-fluoridated water supply which results in a lack of exposure to fluoride's early protection during tooth development for those children who are not given fluoride drops or tablets.

Ms. Meier stated that the Uniform Benefits Package for medical coverage for Washington State Residents does not include dental services for adults. Ms. Meier advised that efforts toward a collaborative program, involving local agencies, dentists and the Health Department, are working to address the dental care access issue. Ms. Meier requested the Board's approval to explore the possibilities of private and public efforts to address the needs of the unserved population of Skagit County.

Commissioner Robinson asked for clarification of the "private-public" group. Ms. Meier indicated that this would involve contacting private dentists and that past surveys indicate interest in participating in such programs.

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Commissioner Hart asked if there are adequate numbers of dentists within the County willing to participate in such a program. Chairman Wolden acknowledged the need for increased communications with area dentists to find out what services are available within the County. Various methods of attempting to recruit area dentists were discussed as well as the continued efforts to fluoridate the County's water supply. The Board indicated their approval of this type of program.

5. Miscellaneous.

Pat Pearce, Health Department Director, noted that in collaboration with the Community Action Agency, the Department will be hosting a "Youth Booth" at the County Fair, with the theme "Prevention of Risky Behaviors." The focus is on abstinence and there will be literature available on protection during sexual activity.

PUBLIC WORKS DEPARTMENT - Rich Medved, Director.

1. Public Hearing - Consideration of Vacation of Unused County Right-of-Way Known as Sterling Hill Access Road.

Chairman Wolden opened the public hearing. Doug Barnet, County Engineer, reviewed with the Board the Engineer's Report and the exact location of the subject right-of-way vacation. Mr. Barnet advised that this right-of-way dates back to the Sterling Quarry Pit which the County stopped mining approximately 40 years ago. The length of the subject right-of-way is 2,260 feet. As a condition of the proposed vacation, the County is requiring that Todd and Tamara Power and Chuckluck Farms, Inc. grant a permanent easement for Jon Schmidt for the purpose of ingress and egress to his property that would otherwise be landlocked. Mr. Barnet advised that there has been no County upkeep or maintenance on this stretch of roadway for the last 20-30 years.

Mary Anderson, Sterling View Estates, asked for clarification of the purpose of the vacation.

The Board ascertained that all three residents are in favor of the right-of-way.

Todd Power, 1025 District Line Road, responded to Ms. Anderson's question regarding the purpose of the vacation. Mr. Power advised that his family has been farming the property adjacent to the right-of-way since 1972, and has maintained the right-of-way. Mr. Power advised that he has applied for a Special Use Permit to operate a Pet Cemetery along the back portion of the right-of-way and was told by County Engineering that in order to proceed, it would be necessary to vacate the right-of-way or open it to the public. It was decided to vacate the right-of-way since the County had not maintained it for 30-40 years. Mr. Power advised that the easement is in process, and that all three parties involved are in agreement so the easement should be granted immediately. Mr. Power stressed that there is no need for the right-of-way to be maintained by the County.

Ron Power, 977 District Line Road and part owner of Chuckluck Farms, indicated the need for the property owners to have control of ingress and egress and the use of farm gates. At this time, the public can use the subject gates and, consequently, the gates get left open and farm animals can escape. Making this a private road will make it legal for the property owners to maintain the road and control those drivers traversing the roadway.

Jon Schmidt, 857 F&S Grade Road, stated that it does not matter to him who owns the road, as long as his ingress and egress is allowed. Mr. Schmidt stated that he would just as soon have the right-of-way

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designated private so control can be maintained. Mr. Schmidt reiterated that all adjacent property owners are in agreement.

Tracy Haynes, 886 District Line Road, expressed her concerns over the possible re-opening of the rock quarry and the subsequent damage that might occur to her home if blasting is again resumed.

Rich Medved, Public Works Department Director, noted that the status of the road, whether private or public, would not affect the permit process required to log the property or mine the quarry. Mr. Medved also briefly explained the difference between a County right-of-way and an easement

Chairman Wolden stated that it is not the County's intent to build a road at this location or mine the quarry. Chairman Wolden further explained that the vacation will clean up an old road that is not being used or maintained by the County. He went on to briefly describe the permitting process that would be necessary for logging or building on Sterling Hill.

Commissioner Hart clarified that this is a gravel and/or grassy lane and Chairman Wolden noted that this right-of-way traverses through agricultural land.

Marianne Power of Chuckluck Farms noted the past problems of individuals walking the right-of-way (trail) and leaving gates open, consequently letting the cows escape and Chuckluck Farms being responsible for any damage done by the escaping animals.

There being no further public comment forthcoming, Chairman Wolden moved to close the public hearing. Commissioner Robinson seconded the motion, which was unanimously approved.

Commissioner Hart noted that all of the adjoining property owners are in agreement to the vacation of this right-of-way, and therefore Commissioner Hart moved to vacate the Sterling Quarry Pit Access Road as presented by Staff, with the condition that an easement to Jon Schmidt be granted by adjoining property owners, and that the fees of \$74.15 be paid by petitioners, Todd and Tamara Power. Commissioner Robinson seconded the motion, which unanimously carried.

Mr. Barnet advised the Board to delay processing of the necessary paperwork until the required easement is in place. The Board indicated their concurrence with this plan.

2. Signature - Personal Services Agreement with Industrial Mowing and Spraying - Annual Sub-Flood Control Zone Maintenance.

Rich Medved, Director of Public Works, presented to the Board for signature a Personal Services Agreement with Industrial Mowing and Spraying for work within the Sub Flood Control Zones. Commissioner Robinson moved to approve the Personal Services Agreement as presented by Staff. Commissioner Hart seconded the motion, which was unanimously approved. (Contract #02099)

3. Miscellaneous.

A. Mr. Barnet presented to the Board for signature a Resolution Awarding Bid for Weathering Steel Bridge Painting for South Fork and Lookout Creek bridges to Long Painting Company of Seattle in the total amount of \$76,242. Mr. Barnet advised the Board that there was a large discrepancy from this bid to the next highest bid (\$134,934), but that upon research by Staff, it has been determined that the contractor is responsible and well respected in the industry, and has assured Staff that this

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reflects an accurate bid. Commissioner Hart moved to approve the Resolution Awarding Bid as presented by Staff. Commissioner Robinson seconded the motion, which was unanimously approved. (Resolution #15445)

- B. A discussion ensued on the budget for spot safety improvements and staff advised that it is time to identify and address specific projects in this regard. Specifics of the various identified projects were discussed. Mr. Medved advised that spot safety projects had been identified but have not been prioritized. The Board indicated their desire to proceed with the prioritization of these spot safety projects.

**CONSENT AGENDA.**

Commissioner Hart moved to approve the Consent Agenda as presented by Staff. Commissioner Robinson seconded the motion, which was unanimously approved.

\* Commissioners' Office:

1. Record of the Proceedings from Monday, August 1, 1994.
2. Record of the Proceedings from Tuesday, August 2, 1994.
3. Record of the Proceedings from Wednesday, August 3, 1994.
4. Personal Services Agreement with Mary Machala to teach improvisational theater performance at the Concrete Doin' It Right program site at a total contract amount of \$312 for the period June 1, 1994 through August 18, 1994. (Contract #02100)
5. Personal Services Agreement with Unexpected Productions to provide 1 hour of improvisational theater performance and 1 hour improvisational theater demonstration as part of the Doin' It Right program at a total contract amount of \$500 for the period June 1, 1994 through August 18, 1994. (Contract #02101)

• Data Processing:

6. Out-of-State Travel Request for Karen Radcliffe to attend a Government & Education Systems Users Group training symposium in Tarpon Springs, Florida, September 18-21, 1994, for a total cost of \$2,045.
7. Personal Services Agreement with Network Control, Inc. for hardware/software installation and integration for an estimated cost of \$3,125, effective June 15, 1994 through December 31, 1994. (Contract #02102)

\* Public Works:

8. Out-of-State Travel Request for Marcia Jaeger to attend a Government and Education Users Group training symposium in Tarpon Springs, Florida, September 18-21, 1994, for a total cost of \$1,736.
9. Out-of-State Travel Request for Peni Ramsey to attend a Government and Education Users

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Group training symposium in Tarpon Springs, Florida, September 18-21, 1994, for a total cost of \$1,540.

10. Resolution Awarding Bid for Three 1995 Dump Trucks to Western Peterbilt, Inc. (Resolution #15446)
11. Resolution Authorizing Sale of 1985 Brush Chipper to City of Sedro Woolley. (Resolution #15447)
12. Resolution Calling for Public Hearing for Consideration of Speed Limit Establishment on Travis Lane, No. 6042, and Tani Lane, No. 6043. (Resolution #15448)
13. Resolution Calling for Public Hearing for Consideration of Speed Limit Reduction on Claybrook Road, No. 9081). (Resolution #15449)

\* Health:

14. Resolution Establishing the Date of Correction and Long-Term Operating Requirements for the On-Site Sewage System Serving the Conway Tavern in Conway, Washington. (Resolution #15450)
15. Interagency Agreement with the State of Washington Department of Health regarding Recreational Shellfish in the amount of \$4,850 for the period July 1, 1994 through December 31, 1994. (Contract #02103)

**MISCELLANEOUS:**

- 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, August 8, 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 MW116851-29 through MW116851-29 and warrants numbered MW116851-29 through MW116851-29 in the total amount of \$1,600 (Transmittal #C-39-94).

- B. Staff presented for signature a Resolution Calling for Bids regarding the Purchase and Delivery of Canned Goods, Staples, Meat and Paper Products for the Skagit County Jail, setting a bid opening on August 23, 1994, at 1:30 p.m. Commissioner Hart moved to approve the Resolution as presented by Staff. Commissioner Robinson seconded the motion, which unanimously carried. (Resolution #15451)
- C. Staff presented for signature an Agreement by and between Skagit County Commissioners, Skagit County Courthouse Employees and Teamsters Local #788 for the period January 1, 1994 to December 31, 1996. Commissioner Hart moved to approve this union contract as presented by Staff. Commissioner Robinson seconded the motion, which unanimously carried. (Contract #02104)

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- D. Mike Woodmansee, Budget/Finance Director, presented to the Board for signature a Resolution authorizing a call for public hearing on August 29, 1994 at 2:00 p.m. concerning supplemental budgets. Mr. Woodmansee briefly reviewed the specifics of this request and advised that the budgets affected are the Current Expense Fund, Public Health Fund and Parks Acquisition Fund. Most of these fund increases are the result of grant monies received. Commissioner Robinson moved to approve the Resolution as presented by Mr. Woodmansee. The motion was seconded by Commissioner Hart and was unanimously approved. (Resolution #15452)
- E. JoAnn Angevine, Human Services Director, reviewed with the Board a recent memorandum received from the Washington State Association of Counties regarding developmental disabilities reform options as recently discussed in a meeting with DSHS. Ms. Angevine briefly reviewed the possible implications and burden to the County's staffing and budget. The Board indicated that reform is necessary, but not at the total expense of County coffers. Mr. Angevine indicated she will respond to this memorandum and express the Board's stance on this matter.

**CONTINUATION OF DISCUSSION - PRAIRIE ROAD IMPROVEMENTS.**

Doug Barnet, County Engineer, advised that the Department would like to finalize the plans for the improvement of this roadway. Mr. Barnet stated that information requested has been provided to Paula Shafransky, a resident of Prairie Road, as she requested.

Mr. Barnet briefly discussed the issue of lane width and advised that residents had also expressed concern about drainage problems causing dangerous freezing conditions during cold weather. Mr. Barnet advised that this project as proposed will alleviate this problem. As far as residents' concerns about accidents caused by driver error, it was Mr. Barnet's opinion that such concerns will be addressed by giving drivers a recovery area and a safe clear zone.

Ed Hawes, Public Works Department Staff, reviewed an analysis of the accidents along this portion of the roadway. Mr. Hawes briefly summarized the accident data with the Board, using a formula that takes out the variability of the amount of traffic along different roadways within the County. Mr. Hawes advised that this area of roadway has a considerably high level of accidents compared to other roadways in the County and compared to a statewide average.

A discussion ensued on the specifics of improvements to similar roads within the County.

Mr. Barnet explained that the Board has three options: To do nothing to improve the roadway, to proceed as proposed with 6 foot shoulders, or to proceed with a combination or hybrid improvement. Staff indicated their feeling that the completion of the project as proposed is necessary regardless of the shoulder width, as the improvements allow the County to take out the dangerous curves, to widen the lanes, and to address clear zone issues. Mr. Barnet asked the Board for their preferred method to proceed, and to direct Staff to continue to work with the residents, identifying the individual concerns about tree and road placement, drainage ditch options, etc.

Paula Shafransky, 2049 Prairie Road, presented to the Board a petition of 29 signatures from people in the community opposing the road project. Ms. Shafransky pointed out that at the last discussion session two people who approved of the project did not live on Prairie Road. Ms. Shafransky questioned the inconsistency of the County in not improving similar roadways to the County Road Standards as is proposed here.

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Chairman Wolden queried Staff about the inconsistencies in the road standards. Various roads in the County and their shoulder widths were compared and discussed.

Ms. Shafransky stated that the people who live on the road do not see the need for a 6 foot shoulder.

Frank Phillips, 2049 Prairie Road, stated that he is against the 6 foot shoulder and prefers a 3 foot shoulder. Mr. Phillips expressed his belief that if the roadway is improved to include 3 foot shoulders, it would give the residents a safe roadway to drive on, and would give bicyclers and horsebackriders a safer place to ride.

Jim Coran, 1963 Prairie Road, stated that he is concerned with bicycling along Prairie Road and would prefer the 6 foot shoulder as originally proposed.

Julie Powell, 2084 Prairie Road, stated her fear that if the roadway is widened, it will be impossible for her to get out of her driveway as she lives on a straight, high-speed section of the roadway.

Commissioner Hart noted that a 3 foot paved shoulder would be sufficient, but the County should not construct anything less than recommended by the County Road Standards rather than go back to old standards rather than moving forward. Commissioner Hart further stated that there are legitimate reasons for pursuing an asphalted shoulder for nonmotorized vehicles.

Chairman Wolden stated his opinion that a 3-foot paved and 3-foot gravel shoulder would be his recommendation for the Prairie Road improvements. He indicated that mowing and routine maintenance are problems along County roadways. There are legitimate reasons to go to the wider roadway. Access will be better with a larger clear zone. Chairman Wolden reiterated that speeding is an enforcement problem that can be dealt with through the Sheriff's Office. Chairman Wolden further stated that the County needs to proceed with the safest ways of building roads.

Commissioner Robinson concurred with the comments of Commissioners Hart and Wolden, and stated that liability is too high to vary from the established standards.

Therefore, the Board directed Staff to proceed with the improvements to Prairie Road with the change to a 6 foot shoulder consisting of 3 feet of hard surface and 3 feet of gravel.

Mr. Medved stated that the folks along Prairie Road have been wonderful to work with, and Staff will continue work with the residents as they deserve to have a good neighborhood.

Ms. Shafransky clarified with the Board that the decision is for a 3-foot paved and 3-foot gravel shoulder along Prairie Road.

ADJOURNMENT.

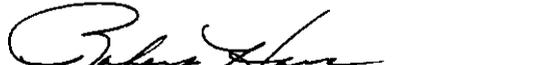
Commissioner Robinson motioned to adjourn the proceedings. Commissioner Hart seconded the motion. The motion was carried unanimously.

BOARD OF COUNTY COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON



  
Harvey Wolden, Chairman

  
Robby Robinson, Commissioner

  
Robert Hart, Commissioner

ATTEST:

  
Patti J. Owen, Clerk  
Skagit County Board of Commissioners