

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

**Tuesday, September 6, 1994**

- 7:30 a.m. - 8:30 a.m. Commissioners' Staff Meeting.  
Flag Salute.
- 9:00 a.m. - 10:00 a.m. Planning Department - Dave Hough, Director.
- 1) Discussion - Enforcement of Skagit County Code Chapter 14.04.155 Concerning Off-Premise Signs.
  - 2) Code Enforcement Report.
  - 3) Miscellaneous.
- 10:00 a.m. - 11:00 a.m. Public Works Department - Rich Medved, Director.
- 1) Discussion - Request for Statements of Qualifications for Engineering Services for the 1994 - 1996 Consultant Roster.
  - 2) Discussion - Right-of-Way Width Variance - Burlington Northern Railroad Bow Street Project.
  - 3) Discussion - Skagit River Bank Protection Project Near Robinson Road.
  - 4) Resolution - Calling for Bids - Wood Road Fish Passage 1994.
  - 5) Signature - Plans for Wood Road Fish Passage Project 1994.
  - 6) Signature - Flood Control Assistance Account Program (FCAAP) Agreement - Dike District No. 1 Keyway Project.
  - 7) Miscellaneous.
- 11:00 a.m. - 11:15 a.m. Signature -
- 1) Resolution Extending the Deadline for Conditions of Septic System Repairs at Conway Tavern & Eatery:
  - 2) Addendum to Memorandum of Agreement with Anacortes Arts Foundation - Lady of the Sea Project.
- CONSENT AGENDA.**
- MISCELLANEOUS.**
- 1:30 p.m. - 2:00 p.m. Proclamation - 9-1-1 Day.
- 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 Tuesday, September 6, 1994, with Commissioners Harvey Wolden and Robert Hart present. Commissioner Robby Robinson's absence was excused.

PLANNING DEPARTMENT - Dave Hough, Director.

1. Discussion - Enforcement of Skagit County Code Chapter 14.04.155 Concerning Off-Premise Signs.

Dave Hough, Planning Department Director, briefly reviewed the history of this code section. Mr. Hough stated that the code was adopted in 1988 and provided that all non-conforming signs would be required to comply with the provisions of the code within 3 years of the date of adoption. Since that time, very few off-premise signs have met the provisions contained in the code. Mr. Hough stated that the code was amended within the last several years to include an exemption for temporary signs advertising seasonal agricultural products.

Chairman Wolden queried Staff on the problems of enforcement. Mr. Hough stated that Staff has no problem with major sign companies and billboards which are permitted, but that most problems are created by unpermitted small signs. Chairman Wolden noted that the costs to enforce this code section on non-conforming signs are prohibitive. Mr. Hough clarified that enforcement of the code has been limited to complaints filed.

Commissioner Hart noted that most signs are conforming. Specifics of various signage throughout the County and alternatives for signage standardization were discussed.

The Board indicated that there are no changes needed to the code.

Tim Hoffman, Code Compliance Officer, brought up the problem of the lack of a grandfather clause in the code for non-conforming signs. Mr. Hough stated that the County has provided a window of opportunity to allow for the modification of signage and the amortization of replacement costs.

A discussion ensued on mobile signs and pertinent State laws.

2. Code Enforcement Report.

The Code Enforcement Report was reviewed.

3. Miscellaneous.

- A. Staff advised that an additional boundary adjustment is necessary near the Mount Vernon Christian School south of Mt. Vernon. Evidently, a small strip of land previously annexed into the City of Mount Vernon was excluded. Commissioner Hart moved to approve the Resolution of Skagit County, Washington, Approving an Adjustment of the City of Mount Vernon Boundary to Include a Portion of a Parcel of Land the Majority of Which Lies within the City Boundaries. The motion was seconded by Chairman Wolden and carried unanimously. (Resolution #15477)
- B. The Board signed a letter to Bruce Babbitt, Department of Interior, concerning the surface water use of a portion of the Upper Skagit River.
- C. A discussion ensued on the diking districts and problems with scheduling. It was noted that much work is done by volunteer efforts and that Public Works and Planning have worked diligently to educate the diking district commissioners to the priorities and paperwork necessary to effectuate project completions in a timely manner. Chairman Wolden expressed concern that the services of quality people may be lost due to the cumbersome and time-consuming permit submittals required.

PUBLIC WORKS DEPARTMENT - Rich Medved, Director.

1. Discussion - Request for Statements of Qualifications for Engineering Services for the 1994 - 1996 Consultant Roster.

Dave Sheridan, Public Works Staff, advised the Board that it is time to publish a public notice entitled "Request for Statements of Qualification of Engineering Services for the 1994 - 1996 Consultant Roster." After brief discussion, the Board indicated their approval of the request for Statements of Qualifications from firms desiring to perform engineering design and consulting services for various County projects to be accomplished.

2. Discussion - Right-of-Way Width Variance - Burlington Northern Railroad Bow Street Project.

Young-Soo Kim, Public Works Staff, reviewed with the Board a map showing the exact location of a proposed substandard right-of-way width variance. Burlington Northern Railroad (BN) is proposing a project to re-establish rail passenger service from Seattle to Vancouver, B.C. As part of this project, it is proposed to close the Bow Street crossing to allow longer freight trains to occupy the Bow passing track while waiting to meet a passenger train. Bow Street serves three residences located on the east side of BN's property. To accommodate the closure of Bow Street, construction of an access road on the easterly side of BN's property connecting Bow Street to Bow Hill Road is proposed. At project completion, these residents will not have to cross BN's tracks to go east on I-5.

The Board indicated that they have no problem with the variance request and directed Staff to proceed with the necessary paperwork and public hearings required.

3. Discussion - Skagit River Bank Protection Project Near Robinson Road.

Dave Brookings, Public Works Staff, reported on a meeting with various permitting agencies concerning this bank protection project near Robinson Road. Mr. Brookings advised that the Forest Service will not require any permitting to complete this project. The required permitting procedures and timing for this project were reviewed by Mr. Brookings, and the necessity for beginning the permitting process immediately to allow for timely completion of the project was noted. Mr. Brookings indicated that this project will cost approximately \$25,000 to \$30,000 to complete.

Ted Brewer, a resident of the area involved, thanked Dave Brookings for his hard work on this project.

Ron Kaaland, a resident of the area involved, confirmed to the Board the need for this project.

4. Resolution - Calling for Bids - Wood Road Fish Passage 1994.

Commissioner Hart moved to approve a Resolution Calling for Bids for the Wood Road Fish Passage Project 1994. Chairman Wolden seconded the motion, which was unanimously approved. (Resolution #15478)

5. Signature - Plans for Wood Road Fish Passage Project 1994.

The Board approved the plans for the Wood Road Fish Passage Project. Rich Medved, Public Works Director, indicated that Mr. Brookings and Dan Tolliver have done a tremendous job in obtaining the 1994-95 "Jobs for the Environment" Grant and planning the improvements to Wood Road.

6. Signature - Flood Control Assistance Account Program (FCAAP) Agreement - Dike District No. 1 Keyway Project.

Mr. Brookings briefly reviewed the agreement with the Department of Ecology for a Flood Control Assistance Account Program (FCAAP) grant for Dike District #1. The Board indicated their approval of this grant. (Contract #02135)

7. Miscellaneous.

Mr. Medved advised the Board that beginning this Friday, September 9, the Public Works Department will begin to occupy their new building on Cleveland Street. The entire Department should be moved by the 18th or 19th of September.

**CONSENT AGENDA.**

Commissioner Hart moved to approve the consent agenda for Tuesday, September 6, 1994. Chairman Wolden seconded the motion, which was unanimously approved.

\* Commissioners' Office:

1. Record of the Proceedings from Monday, August 29, 1994.
2. Record of the Proceedings from Tuesday, August 30, 1994.
3. Personal Services Agreement with Mary Kay Barbieri to provide individual or family therapy in conjunction with the ARIS program for the period July 18, 1994 through January 31, 1995 at a rate of \$40 per hour. (Contract #02136)
4. Personal Services Agreement with Robert MacDougall to provide class in stage combat and sword play in connection with the Mount Vernon and Concrete Doin' It Right program for the period June 1, 1994 through August 18, 1994 for a total contract amount of \$1,750. (Contract #02137)

\* Sheriff's Office:

5. Resolution Calling for Bids for Purchase and Delivery of Commissary Supplies, Tobacco Products, Candy and Snacks. (Resolution #15479)
6. Resolution Awarding Bids for Purchase of Canned Goods, Staples, Meat and Paper Products. (Resolution #15480)

• Health:

7. Authorized Signatures Page for the 1995 Consolidated Contract with the State of Washington. (Contract #01838)

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\* **Treasurer:**

8. Application for Tax Title Property for property located off of LaVenture Road behind the College Tri Cinema by Applicant, Craig D. Ashcraft, for a minimum bid of \$400.

\* **Facilities:**

9. Personal Services Agreement with GTE Telephone Operations for move and upgrade of telephone related services and equipment from 227 No. Fourth Street to 1111 Cleveland Street for the period July 1, 1994 through August 31, 1994 for a maximum consideration of \$18,687.41. (Contract #02138)
10. Personal Services Agreement with Sound Elevator for elevator repair for the period August 1, 1994 through September 30, 1994 for a maximum consideration of \$3,150. (Contract #02139)

• **Public Works:**

11. Resolution Approving Interlocal Cooperative Agreement Between Skagit County and Drainage District #19, and Interlocal Agreement with Drainage District #19 for work, materials and equipment rental for work on the Drainage District's facilities for a five calendar year period 1994 through 1998. (Resolution #15481) (Contract #02140)
12. Supplement No. 1 to Contract for Professional Services with Skagit Bonded Collectors extending the contract completion date to December 31, 1997. (Contract #01477)
13. Contract with Associated Sand & Gravel Co., Inc. for March's Point Road, et al. Overlay Projects, C.R.P. No. 1661-2 for the amount of \$305,886.09. (Contract #02141)
14. Change Order #3 to Contract with Waterworks, Inc. for West State Street Project, for installation of additional catch basins for an estimated change amount of \$9,423, for a total contract amount of \$326,336.60. (Contract #01856)
15. Change Order #3 to Contract with Associated Sand & Gravel Co., Inc. for additional repair work to Josh Wilson Road for an estimated change amount of \$28,813.64, for a total contract amount of \$576,443.64. (Contract #01665)
16. Resolution Amending Skagit County Code 10.04.030 to Establish a Speed Limit Reduction on Claybrook Road, #9081. (Resolution #15482)
17. Resolution Amending Skagit County Code 10.04.030 to Establish a Speed Limit on Travis Lane #6042 and Tani Lane #6043. (Resolution #15483)

\* **Best SELF:**

18. Personal Services Agreement with Lilia Radich for reading, writing and language instruction in conjunction with the Best SELF program for the period June 1, 1994 through August 18, 1994 for total compensation of \$230. (Contract #02142)

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19. Personal Services Agreement with Alice Brevik for reading, writing and language instruction in conjunction with the Best SELF program for the period June 1, 1994 through August 18, 1994 for total compensation of \$230. (Contract #02143)
  20. Personal Services Agreement with Kirstie Jones for reading, writing and language instruction in conjunction with the Best SELF program for the period June 1, 1994 through August 18, 1994 for total compensation of \$230. (Contract #02144)
  21. Personal Services Agreement with Sue Norton for reading, writing and language instruction in conjunction with the Best SELF program for the period June 1, 1994 through August 18, 1994 for total compensation of \$230. (Contract #02145)
  22. Personal Services Agreement with Patti Martin for reading, writing and language instruction in conjunction with the Best SELF program for the period June 1, 1994 through August 18, 1994 for total compensation of \$230. (Contract #02146)
- \* Juvenile Probation:
23. Contract with Elizabeth Sherman to provide specialized juvenile offender evaluations and treatment for the period January 1, 1994 until terminated at rates of \$45 for 50-minute individual counseling sessions, \$20 per session for group counseling and \$45 per hour for consultations and monitoring. (Contract #02147)

**MISCELLANEOUS.**

1. 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, September 6, 1994, the Board, by a majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

Warrant number MW118272-32 in the total of \$3,450 (Transmittal #C45-93).

2. As discussed and approved last week at the Emergency Management Council meeting, Staff presented to the Board a Resolution approving the Ballot Proposition for Skagit County Medic 1. The Board signed the Resolution as presented. (Resolution #15484)
3. The Board approved Perpetual Easements for Drainage Only to John M. Johnson and Elma E. Johnson (Deed #00382) and to William O. Pearson and Marian E. Pearson (Deed #00383) pursuant to the conditions of the Limo Partners long plat approved by the Board last week.
4. Staff presented to the Board a Call for Public Hearing to Consider the Formation of the Starbird Road Sewer District. After brief discussion, Chairman Hart moved to approve the Call for Public Hearing as presented. Chairman Wolden seconded the motion, which carried unanimously. (Resolution #15485)
5. The Board approved an Amendment to an Agreement with J.C. Draggoo & Associates extending the contract term from June 15, 1994 to December 31, 1994. Staff advised that there is no

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monetary change in the contract terms. Commissioner Hart moved to approve the Contract Amendment with J.C. Draggoo & Associates. The motion was seconded by Chairman Wolden, and carried unanimously. (Contract #01760)

6. Staff presented an Agreement between Skagit County and Rich Medved, Public Works Director, to provide Mr. Medved with \$16,000 per year for two years to attend the Executive MBA Program at the University of Washington. After clarification of the terms of the Agreement in regards to reimbursement if Mr. Medved's employment is discontinued, Commissioner Hart moved to approve the Agreement as presented by Staff. Chairman Wolden seconded the motion, which passed unanimously. (Contract #02148)
7. Staff presented three Personal Services Agreements regarding the Best SELF Program for the terms June 1, 1994 through August 18, 1994 for total compensation of \$375 each. Commissioner Hart moved to approve these agreements as presented. Chairman Wolden seconded the motion, which was unanimously approved. (John Clancy - Contract #02149, Kieffer Denning - Contract #02150, Mary Jane Salinas - Contract #02151)
8. Staff briefly discussed a parcel of County surplus property on Cavanaugh Road which had previously received a purchase offer of \$22,500. The purchaser withdrew their \$22,500 offer, stating that the property was not worth what they originally thought, and reduced their bid to \$14,500. The Planning Department has determined that the lot is a buildable lot, and a timber evaluation was also done. It has been determined that \$22,500 is a reasonable offer for this parcel of property. The Board directed Staff to prepare a letter to the Treasurer advising that the Board is rejecting the \$14,500 offer for this property.

**SIGNATURE:**

1. Resolution Extending the Deadline for Conditions of Septic System Repairs at Conway Tavern & Eatery.

Staff presented the Board with a Resolution Extending the Deadline for Conditions of Septic System Repairs at the Conway Tavern & Eatery from August 31, 1994 to September 13, 1994. George Ridgway, Permit Center Staff, expressed his concern for a possible legal dispute with the parties involved. Chairman Wolden indicated that it was his opinion that the operator of the establishment will pay for the repairs and settle with the owner of the building sometime in the future. Staff confirmed that the wording of the Resolution makes this clear. Commissioner Hart moved to extend the deadline for the repairs. The motion was seconded by Chairman Wolden and passed unanimously. (Resolution #15486)

2. Addendum to Memorandum of Agreement with Anacortes Arts Foundation - Lady of the Sea Project.

Stephanie Wood, Administrative Coordinator, advised that an approval was given to help fund the Lady of the Sea statute from hotel/motel tax funds. The date to disburse those funds expired, but the project is still going forward, therefore it is necessary to extend the completion date to October 31, 1994. Commissioner Hart clarified that this project was started four years ago and there have been some delays. Commissioner Hart further noted that the statute has been completed and should be installed on the 7th of October. Commissioner Hart moved to approve the Addendum as presented by Staff. Chairman Wolden seconded the motion, which was unanimously passed. (Contract #01727)

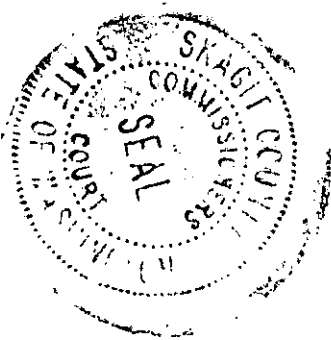
PROCLAMATION - 9-11 DAY.

Chairman Wolden read the Proclamation into the record proclaiming Sunday, September 11, 1994 as 9-1-1 Day. The Board executed the Proclamation as presented by Staff.

ADJOURNMENT.

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

BOARD OF COUNTY COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON



  
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Harvey Wolden, Chairman

  
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Robby Robinson, Commissioner

  
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Robert Hart, Commissioner

ATTEST:

  
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Patti J. Owen, Clerk  
Skagit County Board of Commissioners