

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

**Monday, October 3, 1994**

- 9:30 a.m. - 10:00 a.m.            Presentation on Economic, Demographic and Fiscal Data for the County.
- 10:00 a.m. - 11:00 a.m.            Public Works Department - Rich Medved, Director.
- 1)        Discussion - Burlington Shop Maintenance Building.
  - 2)        Discussion - Flood Control Assistance Account Program - Samish River Flood Hazard Management Plan.
  - 3)        Signature - Bid Award Resolution - Wood Road Fish Passage Project 1994.
  - 4)        Signature - Supplement No. 3 to Montgomery Watson Consulting Engineers Agreement (Skagit County Drainage Study).
  - 5)        Signature - Personal Services Agreement with R.L. Coffell Trucking (Log Hauling for County Fish Passage Program).
  - 6)        Signature - Personal Services Agreement - Langlow/Hall Associates (Development of Flood Awareness Brochure).
  - 7)        Miscellaneous.
- 11:00 a.m. - 11:15 a.m.            Discussion & Signature - King County Emergency Management Services Contract.
- CONSENT AGENDA.**
- MISCELLANEOUS.**
- 1:30 p.m. - 2:00 p.m.            Public Hearing - Ordinance Prohibiting Use of Motorized Vehicles on the Cascade Trail.
- 2:00 p.m. - 2:30 p.m.            Consideration of Order of Remand re: Bock/Lotz Zoning Variance - Stackpole Road.
- 3:00 p.m. - 3:30 p.m.            Skagit County Senior Services Department Ethics Policy: Interactions with People Served by Senior Services Programs.
- 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, October 3, 1994, with Commissioners Harvey Wolden, Robby Robinson and Robert Hart present.

**PRESENTATION ON ECONOMIC, DEMOGRAPHIC AND FISCAL DATA FOR THE COUNTY.**

Jerry McInturff, Skagit County Auditor, presented to the Board the Skagit County Financial Indicators Report for Fiscal Year Ended December 31, 1993 and indicated that the report is a tool to assist the Board in budgetary decisions and deliberations.

Mr. McInturff indicated that the Proposed Fiscal Policies section of the report is a new section. Commissioner Hart indicated that most of these policies have been implemented or are currently part of the process.

Specific sections of the Report were briefly reviewed by Mr. McInturff.

Mr. McInturff indicated that the County operating position remains strong but has been slightly reduced. Mr. McInturff further advised that Skagit County has very little debt and that the County may be wise to incur more debt in the future.

Mr. McInturff stated that there has been an increase in the County's population by approximately 27%. The components of this increase were discussed, and the resultant employment and commercial and residential development situations were briefly discussed. Commissioner Hart queried Staff on developing statistics for a gross county product or average personal income.

The Board indicated their appreciation to Mr. McInturff for this concise report.

**PUBLIC WORKS DEPARTMENT - Rich Medved, Director.**

1. Discussion - Burlington Shop Maintenance Building.

Roger Howard, Facilities Director, stated that the Board had asked for an update on the proposed Burlington Shop Maintenance Building. Mr. Howard briefly reviewed the specific project costs including the building and equipment costs of \$1,628,183, with a total project cost estimated to be \$2,315,524.

Commissioner Hart indicated that he cannot see how this proposal can be justified and that \$2.3 million seems unreasonable. Commissioner Hart stated that it was his recollection that the original idea of pursuing a maintenance building was around \$500,000.

Chairman Wolden stated that it is time to call a halt to this project and step back to take a look at what the alternatives are. It may be more cost effective to have vehicle maintenance performed by outside contractors.

Rich Medved, Director of Public Works, stated that this estimate is at the high end and that there are possibilities for reducing the costs. It was the intent to make sure all County vehicles are serviced properly and in the short term it may be difficult to see the savings gained over the long term.

Chairman Wolden indicated that it is possible to give directives to private sector businesses for the parameters of repair and maintenance to County vehicles. At this point, Chairman Wolden indicated it is not possible for him to support a \$2.5 million building project.

Commissioner Hart stated that this project started out with a simple service bay and ended up with a proposed Taj Mahal, and is somewhat out of the sphere first imagined.

Charlie Tewalt, Public Works Staff, advised that many of the costs could be eliminated by removing the office areas. Mr. Tewalt indicated that he would like to see the options reduced rather than the project tabled.

Chairman Wolden stated that there is no cost justification for much of this project.

After a brief discussion on the merits of this project, Mr. Medved indicated that it is possible to cut this back to a more manageable project.

Commissioner Hart indicated that it is time to terminate the contract with Merritt & Pardini for the design of

this project as they are not headed in the direction the County wishes to take with this proposal. Chairman Wolden concurred with Commissioner Hart's comments and directed staff to accomplish this.

2. Discussion - Flood Control Assistance Account Program - Samish River Flood Hazard Management Plan.

Dave Brookings, Public Works Staff, presented a status update to the Board regarding the Flood Control Assistance Account Program (FCAAP). Due to the impending lawsuit, projects on the Skagit River have been put in abeyance, and Staff is recommending that funds be redirected to do some comprehensive planning on the Samish River Basin. Mr. Brookings advised that a consultant will be needed to assist with this endeavor. Mr. Brookings indicated that up to \$100,000 of the state grant money could be used to assist in that regard. Specifics of the proposal were discussed.

Commissioner Hart noted that it is critical to develop a policy to get everyone working together, and that the County has gone too many years without having a coordinated established plan.

3. Signature - Bid Award Resolution - Wood Road Fish Passage Project 1994.

Mr. Brookings advised that 3 bids were received for the Wood Road Fish Passage Project. Staff is recommending that the bid be awarded to the low bidder, Brad Mason Trucking and Excavating, Inc. Commissioner Robinson moved to approve the award of the bid to Brad Mason Trucking and Excavating, Inc. Commissioner Hart seconded the motion, which passed unanimously. (Resolution #15502)

4. Signature - Supplement No. 3 to Montgomery Watson Consulting Engineers Agreement (Skagit County Drainage Study).

Mr. Brookings advised that this supplement defines the scope of work and additional costs associated with the preparation of an Environmental Impact Statement for the Capital Improvement Projects concerning the proposed drainage utility. This was previously approved by the Board and is merely a signature item. (Contract #01393)

5. Signature - Personal Services Agreement with R.L. Coffell Trucking (Log Hauling for County Fish Passage Program).

Mr. Brookings presented to the Board a Personal Services Agreement with R.L. Coffell Trucking for log hauling for the County fish passage program. Mr. Brookings noted that Dan Tolliver did a fine job obtaining these logs free of charge from Dunlap Towing. Commissioner Robinson moved to approve the Personal Services Agreement with R.L. Coffell as presented by Staff. The motion was seconded by Commissioner Hart and carried unanimously. (Contract #02176)

6. Signature - Personal Services Agreement - Langlow/Hall Associates (Development of Flood Awareness Brochure).

Mr. Brookings presented to the Board a Personal Services Agreement with Langlow/Hall Associates for the development of a flood awareness brochure. After a brief discussion of the benefits of this type of publication, Commissioner Robinson motioned to approve the Personal Services Agreement as presented by Staff. Commissioner Hart seconded the motion, which unanimously passed. (Contract #02177)

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7. Miscellaneous.

- A. Rich Medved, Director of Public Works, advised that there have been 7 responses to the Request for Proposals for use of the incinerator facilities. An evaluation team has been formulated to review and evaluate each proposal. The team includes Mr. Medved, Gary Sorensen of the Public Works Department, Mike Woodmansee, County Budget/Finance Director, Marcia Jaeger, Public Works Accounting, Robin Kurowski, President of the Solid Waste Advisory Council, Brian Stephan and Jeff Hedgedus, Solid Waste Staff, and Liz Thomas, Legal Counsel and Ex-Officio member. The procedure and timetable for interviewing was briefly discussed. Mr. Medved advised that a public hearing will be scheduled prior to a final decision being made.
- B. A brief discussion ensued on the upgrading of Burlington Northern railroad crossings in the Conway area during the next week and the re-routing of traffic in the area.

**DISCUSSION AND SIGNATURE - KING COUNTY EMERGENCY MEDICAL SERVICES CONTRACT.**

John Church, Director of 9-1-1, presented to the Board for signature a Licensing Agreement Between King County Emergency Medical Services Division and Skagit County. To facilitate training for County 9-1-1 personnel, it is necessary to enter into this agreement with King County to use their materials which have been designed specifically for use in King County. Specifics of the classes and proposed attendance were discussed.

Chairman Wolden indicated that this is a pro-active way to handle such emergency situations.

Commissioner Hart moved to approve the Licensing Agreement with King County Emergency Medical Services Division. The motion was seconded by Commissioner Robinson and was unanimously passed. (Contract #02178)

**CONSENT AGENDA.**

Commissioner Robinson moved to approve the Consent Agenda for Monday, October 3, 1994. The motion was seconded by Commissioner Hart, and passed unanimously.

\* Commissioners' Office:

1. Record of the Proceedings from Monday, September 26, 1994.
2. Record of the Proceedings from Tuesday, September 27, 1994.
3. Personal Services Agreement with Helen Terry for Assessment Center services for Sheriff's Office Patrol Sergeant Promotion and Sheriff's Office Correction Sergeant Promotion for the period June 1, 1994 through December 31, 1994, at a rate of \$50 per hour, not to exceed \$2,500, plus expenses of photocopying, printing and mileage for a total contract amount of \$5,000. (Contract #02179)
4. Supplemental Agreement to contract with LISTEN, Industrial Hearing Conservation, changing the term of the contract to May 1, 1994 until completed or terminated. (Contract #02021)

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\* **Treasurer:**

5. Personal Services Agreement with Herk Hancock dba Herk Hancock Auction Co. for surplus auction services on September 23, 1994 at a rate of 3.75% of the gross proceeds and \$800 advertising costs. (Contract #02180)

\* **Assigned Counsel:**

6. Personal Services Agreement with David G. Arganian for professional legal services for the period September 15, 1994 through December 31, 1994 for compensation detailed in Exhibit "B" thereto. (Contract #02181)

\* **Senior Services:**

7. Amendment No. 1 to contract with Northwest Regional Council to provide for additional funds of \$5,500 for equipment purchases for the Fidalgo Center in Anacortes. (Contract #02158)

\* **Parks, Recreation & Fair:**

8. Out-of-State Travel Request for Dennis Lind to attend the Amateur Softball Association Annual Conference/Council Meeting in Orlando, Florida, October 22-28, 1994, for a total expenditure of \$100 for meals (airfare and hotel to be paid by Washington Amateur Softball Association).
9. Instructional Services Contract with Maria Chaves for Youth Dance Program from September 1, 1994 through December 31, 1994 for various amounts. (Contract #02182)

\* **Public Works:**

10. Resolution Calling for Public Hearing - Establishment of Residential 25 mph Limit on Various Residential County Roads on Fidalgo Island. (Resolution #15503)
11. Resolution Calling for Public Hearing - Establishment of Residential 25 mph Limit on Gibraltar Drive, Gibraltar Place, Carolina Street, and Nebraska Street, Anacortes. (Resolution #15504)
12. Supplement No. 2 - Consultant Services Agreement with H.D.R. Engineering, Inc. for Seismic retrofit of North Fork Skagit River Bridge, to extend the time for completion to December 31, 1994. (Contract #01797).
13. Resolution Revising March's Point Road, County Road Project No. 1661-2, authorizing construction costs of \$336,474.69. (Resolution #15505)

**MISCELLANEOUS.**

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, October 3, 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 133991 through 135335 and PW9400009518 through PW9400009839 and payroll warrants numbered 52410 through 53695 in the total amount of \$1,149,324.31 (Transmittal #P-19-94);

Warrant number MW119542-36 in the total amount of \$3,141.13 (Transmittal #C51-94);

Voucher numbers 072001 through 072017, 169001 through 169034, 170001 through 170002, and 169035 through 169036 (Warrant numbers 119505 through 119541) in the total amount of \$1,076,452.08 (Transmittal #C-50-94); and,

Voucher numbers 41060000001 through 41060000816 (Warrant numbers 1559 through 2393) in the amount of \$23,022.75 (Transmittal #C-51-94).

Commissioner Hart was absent for the remainder of the proceedings.

**PUBLIC HEARING - ORDINANCE PROHIBITING USE OF MOTORIZED VEHICLES ON THE CASCADE TRAIL.**

Chairman Wolden opened the public hearing.

Steve Colby, Parks & Recreation Department Staff, stated that the purpose of the public hearing is for consideration of a proposed Ordinance 9.04 prohibiting motorized vehicles on the Cascade Trail, and provides a mechanism for the Sheriff's Office to respond to complaints in an appropriate manner. Mr. Colby advised that the Parks Department mailed approximately 134 notices to residents in the area advising them of this public hearing, in addition to the standard publication of such notice. Mr. Colby further clarified that all current accesses to residences and farm accesses will continue as in the past.

John Hunter, Chief Deputy at the County Sheriff's Office, stated that the Sheriff's Office will be the agency enforcing this ordinance and is in full support of the ordinance as proposed.

Randy Good, 2346 Minkler Road, questioned the procedure for establishing this ordinance as he feels the entire trail has not been established with due process and/or public notice or public meetings on the formation of the corridor.

Travis Martinez, a resident in the area, expressed his need to retain access to his property and voice his opposition to the ordinance as proposed.

Joel Kount, Fruitdale & Highway 20, stated his agreement with the ordinance proposal in order to assist in minimizing the nuisance of vehicles running up and down the corridor spewing rocks.

On a query from the citizenry present, Chairman Wolden clarified that the County has the rights to the trail and can impose ordinances relative thereto.

Jennie Lipsey, a resident in the area, expressed her concern that visitors, family members and a tenant would not be able to use the accessway to her residence. The Board and Staff confirmed that there would be no problem in this regard.

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Ralph Clemons, Town of Lyman, expressed his feeling that the ordinance is sketchy and asked for clarification of the penalty for violation of the ordinance. Mr. Clemons stated that he feels state law already covers the use of off-road or non-highway vehicles and there is no need for this ordinance. Mr. Clemons further expressed his displeasure with the creation of the trail.

Ted Anderson, Sedro Woolley, questioned the reasons for an ordinance being necessary to control traffic on the trail if there is not a commitment to go through with the entire trail project.

Chairman Wolden clarified that the County has the property in its entirety and is committed to putting the trail in, and therefore, the ordinance is timely.

Mr. Anderson stated that few people are in favor of this project, and that responsibility lies with the Board to represent what the people want. If elected, Mr. Anderson indicated he will not support this trail project based on his opinion of what the people in the district want.

Ed Lipsey, a resident between Lyman and Hamilton, questioned the definition of a "legal access" and the process for obtaining same, and also expressed concern for liability and right-of-way on the trail. Mr. Lipsey further expressed concerns for the flooding problems that may be prevalent in the area in the future.

At Mr. Good's request, Chairman Wolden read the proposed ordinance. Chairman Wolden indicated that the exact wording in the ordinance clears up many of the questions raised during this public hearing. The subject of access was briefly discussed.

Mr. Colby clarified that all public accessways will be posted and will have gates to restrict access. Mr. Colby further indicated that there will be posts on both sides of private driveways to restrict 4-wheel access.

Jim Burress, property owner in the area, indicated his unwillingness to stop using the railroad grade as access to his property and expressed his lack of support for the trail. A brief discussion ensued on Mr. Burress' particular problems with obtaining an access to his property.

There being no further public comment forthcoming, Commissioner Robinson moved to close the public hearing. The motion was seconded by Chairman Wolden and passed unanimously.

Chairman Wolden indicated that it is a fact the County has acquired this railway line, and the need to restrict non-motorized vehicles from using the trail is paramount to the safety and welfare of those using the trail and living in the area. For these reasons, Chairman Wolden moved to approve the Ordinance prohibiting the use of motorized vehicles on the Cascade Trail. Commissioner Robinson seconded the motion, which was unanimously passed. (Resolution #15506)

**CONSIDERATION OF ORDER OF REMAND RE: BOCK/LOTZ ZONING VARIANCE - STACKPOLE ROAD.**

Staff advised the Board that a public meeting is necessary to consider the order of remand re: Bock/Lotz zoning variance on Stackpole Road. Commissioner Robinson moved to hold the public meeting on Tuesday, November 1, 1994, at 10:00 a.m. The motion was seconded by Chairman Wolden and passed unanimously. Staff advised that property owners and appropriate attorneys will be notified of the public meeting.

**SKAGIT COUNTY SENIOR SERVICES DEPARTMENT ETHICS POLICY: INTERACTIONS WITH PEOPLE SERVED BY SENIOR SERVICES PROGRAMS.**

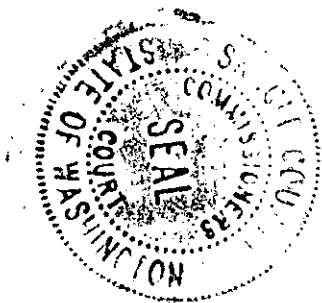
Tim Holloran, Director of Senior Services, presented to the Board a Senior Services Department Ethics Policy: Interactions with People Served by Senior Services Program. Mr. Holloran advised that this policy is similar to one adopted by the Northwest Regional Council, and that signature on this document is a matter of formality and is something the department will use as a policy document. Mr. Holloran further advised that this policy does not supersede any County policies, but merely defines for Staff what situations should be avoided. Specifics of the Ethics Policy were briefly reviewed by Mr. Holloran.

Commissioner Robinson moved to adopt the Senior Services Department Ethics Policy as presented by Mr. Holloran. Chairman Wolden seconded the motion, which unanimously carried.

**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




  
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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