

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

Monday, March 13, 1995

Flag Salute.

8:30 a.m. - 10:00 a.m.

Board of Health - Pat Pearce, Director.

- 1) Introduction of New Employee.
- 2) Establishing a Seawater Intrusion Committee.
- 3) Request from Brown & Crabb for Waiver of S.C.C. Chapter 12.48.270.
- 4) On-Site Sewage Assistance Grant Program.
- 5) Revised Policy on Baked Goods Sold at Farmers' Market.
- 6) Report - March 10th Teen Rally For Tobacco Free Washington.
- 7) Miscellaneous.

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

Public Works Department - Jan Keiser, Director.

- 1) Introduction of New Employee.
- 2) Public Hearing - Consideration of Speed Limit Establishment on Bayhill Drive and Augusta Lane.
- 3) Public Hearing - Consideration of Speed Limit Revision on Lafayette Road and Peter Anderson Road.
- 4) Public Hearing - Consideration of Speed Limit Revision on District Line Road.
- 5) Discussion - Perry & Deitz Trail Permit (West Big Lake Boulevard).
- 6) Discussion - Establishment of Small Works Roster.
- 7) Quit Claim Deed - Transfer of County-Owned Property to City of Burlington.
- 8) Out-of-State Travel Request.
- 9) Signature - Documents for Prairie Road Improvement Project.
- 10) Miscellaneous.

11:00 a.m. - 11:30 a.m.

Facilities Project Update.

**CONSENT AGENDA.**

**MISCELLANEOUS.**

1:30 p. m. - 2:30 p.m. Discussion - Community Development Block Grant - Swinomish Tribe.

2:30 p.m. - 3:30 p.m. Discussion - Proposal from San Juan County regarding Detention.

3:30 p.m. - 4:30 p.m. Executive Session - Personnel, Litigation and Land Acquisition.

The Skagit Board of Commissioners met in regular session on Monday, March 13, 1995, with Commissioners Robert Hart, Harvey Wolden and Ted W. Anderson present.

**HEALTH DEPARTMENT - Pat Pearce, Director.**

1. Introduction of new employee.

Lara Collis, Vista Volunteer, through the Community Action Agency, and Tom Wiedemann, Urgent Needs Support, were introduced as new Health Department staff.

2. Establishing a Seawater Intrusion Committee.

Lorna Haycox, Health Department Staff, presented an overview of the selection process of the Seawater Intrusion Advisory Committee and gave a brief background on each suggested committee member.

Ms. Haycox reviewed the anticipated committee tasks and terms.

Commissioner Wolden made a motion to approve the Seawater Intrusion Advisory Committee as presented. The Board suggested the terms be specifically defined to conclude at December 31, 1998. Chairman Hart seconded the motion and it passed unanimously.

Health Department Staff will present a Resolution in this regard at a later date.

Commissioner Wolden was absent for the following portion of the agenda.

3. Request from Brown & Crabb for Waiver of S.C.C. Chapter 12.48.270.

Lorna Haycox, Health Department Staff, reviewed the history and circumstances which precipitated the requested waiver from property owners, Brown & Crabb, indicating that this property was purchased by Brown & Crabb in 1979 and illegally subdivided. Ms. Haycox mentioned that their drinking water sources were hand dug wells which did not conform to Minimum State Standards for Well Construction in regard to a land division. Ms. Haycox mentioned that a Waiver is essential in order for the Brown and Crabb Land Division to proceed.

Ms. Haycox mentioned that dug wells are defined as "alternative sources" in the Skagit County Water Code.

Ms. Haycox presented a map of the property, illustrating the location of the two dug wells.

Ms. Haycox introduced Lisle Brown, property owner, who briefly reviewed the history of his land purchase, home construction and the well and water system.

Ms. Haycox stated that the Health Department has no objection to this waiver.

Commissioner Anderson requested further review into the legality of this waiver.

A brief discussion followed.

It was determined that Staff will contact John Moffat, Chief Civil Deputy, in regard to the legal issues. After addressing this issue, Staff will present a resolution to the Board.

4. On-Site Sewage Assistance Grant Program.

Tom Karsh, Permit Center Staff, presented an overview of on-site sewage systems stating that the County has been notified of grant funds available from the Centennial Clean Water Fund.

The Permit Center Staff indicated that they will return to the Board with a proposal for an application to obtain these funds.

A discussion ensued in regard to sewage pumping and maintenance being done on an "as needed" basis, rather than on a specific schedule.

The Board recommended further research in regard to the pumping and maintenance issue.

5. Revised Policy on Baked Goods Sold at Farmers' Market.

Corrine Story, Health Department Staff, presented a proposed policy on the sales of baked goods at the Farmers Market and reviewed the history of existing policies.

A discussion ensued in regard to various issues of this proposal.

Chairman Hart mentioned that there did not appear to be a consensus to change the policies at the present time.

6. Report - March 10th Teen Rally for Tobacco Free Washington.

Tom Wiedemann, Urgent Needs Support, and Linda Speck, Health Department Staff, reviewed the Teen Rally event which took place the previous week in Olympia, reporting tremendous success.

7. Miscellaneous.

A. Pat Pearce, Director, mentioned that this is "National Talk To Your Teen About Sex" Month and reviewed networking in this regard.

B. Tom Karsh, Permit Center Staff, informed the Board of a Bill that is in the legislature at this time in regard to on-site sewage systems.

The Board recommended no action be taken on this Bill at this time.

Commissioner Wolden returned for the remainder of the session.

PUBLIC WORKS DEPARTMENT - Jan Keiser, Director.

1. Introduction of New Employee.

Charlie Tewalt, Public Works Staff, introduced Keith Hillard, an Anacortes resident, as a new Guemes Ferry employee.

2. Public Hearing - Consideration of Speed Limit Establishment on Bayhill Drive and Augusta Lane.

Ed Hawes, Public Works Staff, presented the proposal of establishing a speed limit on Bayhill Drive and Augusta Lane.

Steve Blair, Public Works Staff, presented an overview of the Bayhill area and specific areas for the proposed speed limit establishment.

Chairman Hart opened the Public Hearing.

Tracey Erickson, 1210 Bayhill Drive, presented a petition representing approximately 55 residents of the area, requesting a 15 mph speed limit, due to the curves of the streets in this area, indicating safety for children as a major concern.

There being no further public comment forthcoming, Commissioner Wolden made a motion to close the Public Hearing. Commissioner Anderson seconded the motion and it passed unanimously.

A brief discussion ensued and Commissioner Wolden made a motion to establish the speed limit on Bayhill Drive and Augusta Lane at 20 mile per hour. Commissioner Anderson seconded the motion and it passed unanimously. Staff will provide a resolution at a later date.

3. Public Hearing - Consideration of Speed Limit Revision on Lafayette Road and Peter Anderson Road.

Steve Blair, Public Works Department, presented an illustration in regard to the area for consideration of the speed limit revision, stating that this action was requested by petition for the residents of the area. Mr. Blair indicated there are several Day Care facilities in the area and sight obstructions on the indicated roads involved.

Chairman Hart opened the Public Hearing.

Ray Salzman and Hank Fisk, Easgate Way residents, supported reduced speed limits.

Ken Chovel, Burlington, supported reducing the speed limit and indicated speeding motorists is a continual problem in the referenced area.

There being no further public comment forthcoming, Chairman Hart made a motion to close the Public Hearing. Commissioner Anderson seconded the motion and it passed unanimously.

Commissioner Anderson made a motion to reduce the speed limit on Lafayette Road and Peter Anderson Road to 25 miles per hour, as presented. Chairman Hart seconded the motion and it passed unanimously.

Staff will provide a Resolution at a later date.

4. Public Hearing - Consideration of Speed Limit Revision on District Line Road.

Steve Blair, presented the proposal for a speed limit revision on District Line road and indicated that Public Works has received public comment representing both the revision of the speed limit and leaving the speed limit as it is currently.

Chairman Hart opened the Public Hearing.

Candace Arnsten, Travis Lane, spoke in strong support to lower the speed limit.

No further public comment was forthcoming. Commissioner Wolden made a motion to close the public hearing. Commissioner Anderson seconded the motion and it passed unanimously.

Commissioner Wolden made a motion to lower the speed limit to 25 miles per hour on District Line Road, as presented by Staff. Commissioner Anderson seconded the motion and it passed unanimously.

Staff will provide a Resolution at a later date.

5. Discussion - Perry & Deitz Trail Permit - (West Big Lake Boulevard).

Dave Sheridan, Public Works Staff, reviewed the Perry & Dietz Trail request, mentioning that Mr. Pery and Mr. Dietz have applied for a permit to use unopened County right of way. Mr. Sheridan briefly reviewed the sequence of events that transpired from January 1993, through today.

Jan Keiser, Public Works Director, mentioned that most of the issues have been resolved and concerns have been addressed.

Bill Vaux, Port Gardner Timber, mentioned that Port Gardner Timber has spent approximately \$23,000 resolving the drainage problem in this area. Mr. Vaux requested keeping Port Gardner informed, as an area landowner.

Ms. Keiser mentioned that Staff would continue to inform Port Gardner of proceedings.

On the recommendation of the Board, Public Works Staff will pursue issuing a Trail Permit.

6. Discussion - Establishment of Small Works Roster.

Dave Brookings, Public Works Staff, presented the small works roster, for projects having a dollar value of between \$10,000 and \$100,000. Mr. Brookings reviewed the procedures involved in establishing and implementing such a roster.

A discussion ensued in regard to awarding of contracts and the pre-qualification criteria.

The Board supported the proposal. Public Works Staff will present a Resolution in this regard at a later date.

7. Quit Claim Deed - Transfer of County-Owned Property to City of Burlington.

Dave Brookings, Public Works Staff, presented a map of the George Hopper/I-5 area involved in the transfer of county owned property. Mr. Brookings mentioned that all concerned parties have agreed that this transfer would be mutually beneficial to all involved.

Commissioner Anderson made a motion to sign the Quit Claim Deed, as presented, to transfer the property to the City of Burlington. Commissioner Wolden seconded the motion and it passed unanimously. (Deed #00397).

8. Out-Of-State Travel Request.

Ms. Keiser reviewed the Out-Of-State Travel Request for Robin LaRue, Assistant Director, to attend the Northwest Regional Solid Waste Symposium in Portland, OR, on April 11 - 14, 1995.

Commissioner Wolden made a motion to approve the out-of-state travel request, as presented. Chairman Hart seconded the motion and it passed unanimously.

9. Signature - Documents for Prairie Road Improvement Project.

Dave Sheridan, Public Works Staff, presented the Summary of Offer for right-of-way acquisition on the Prairie Road Improvement Project. Mr. Sheridan mentioned that there are three right-of-way parcels involved for the project.

Commissioner Wolden made a motion to approve the Summary of Offer Spreadsheet and the set of Right-of-Way plans, as presented. Commissioner Anderson seconded the motion and it passed unanimously.

FACILITIES PROJECTS UPDATE.

Roger Howard, Facilities, presented the following items:

1. An Amendment to the Lease Agreement with ALFCO, Inc. for the parking lot located between Gates Street and Kincaid Street, East of the Railroad tracks and West of Interstate 5, was presented to the Board to extend the lease on a month to month basis at a lease rate of \$280 per month.

Commissioner Wolden made a motion to approve Amendment A, as presented. Chairman Hart seconded the motion and it passed unanimously. (Contract #01753).

2. An Amendment to the Lease Agreement with Herbert J. & Theresa L. Goldston for the building located at 414 Snoqualmie Street, Mount Vernon, was presented to the Board to extend the lease on a month to month basis at the rate of \$850 per month.

Commissioner Wolden made a motion to approve Amendment "A", as presented. Commissioner Anderson seconded the motion and it passed unanimously. (Contract #01265).

3. Amendment to Personal Services Agreement with Certified Industrial Hygiene Services, extending the term to December 31, 1995 and the maximum consideration for this extended term shall be \$10,000.

Commissioner Wolden made a motion to approve Amendment "A", as presented. Chairman Hart seconded the motion and it passed unanimously. (Contract #01881).

Mr. Howard presented several plan options in regard to facility improvements.

A discussion was also held in regard to obtaining comments and input from department heads, informing others of upcoming meetings and developing time lines.

#### CONSENT AGENDA.

Commissioner Wolden moved to approve the Consent Agenda for Monday, March 13, 1995, as presented. Commissioner Anderson seconded the motion, which was unanimously approved.

\* Commissioners' Office:

1. Record of the Proceedings from Wednesday, March 8, 1995.
2. Interlocal Agreement with Burlington Edison School District #100, in regard to Best SELF program effective February 1, 1995, through August 31, 1995. (Contract #002366).
3. Memorandum of Agreement with Valley Museum of Northwest Art to provide funds in the amount of \$3,500 for provision of described Tourism Services for the period of January 1, 1995, through December 31, 1995. (Contract #002367).
4. Memorandum of Agreement with Skagit County Historical Society for the period of January 1, 1995, through December 31, 1995, to provide funding in the amount of \$3,000 for provision of the described Tourism Services. (Contract #002368).
5. Memorandum of Agreement with Sedro Woolley Museum for the period of January 1, 1995, through December 31, 1995, to provide funding in the amount of \$2,500, for provision of described Tourism Services. (Contract #002369).

• Senior Services:

6. Contract for Provision of Senior Services with the City of Burlington for the calendar year 1995 for the Burlington Senior Center. The City will pay for the services provided in the amount of \$15,000. (Contract #002370).

• Parks:

7. Resolution Rejecting Bid for Lease of Pasture Land at the Northern State Recreation Area, regarding the opposition to the one bid received as a result of the Public Notice on January 17, 1995. (Resolution #15678).

8. Resolution to Call For Bid to Lease County Owned Land for Cattle Grazing or Crop Farming on the land known as Northern State Recreation Area for one year and could be renewable. The Lessee shall be responsible for fences as needed for creek protection, separation of cattle from existing buildings and maintenance of the cattle within the confines of the acreage. (Resolution #15679).

\* Health:

9. Amendment No. 1 to the 1995 Consolidated Contract between the Department of Health and Skagit County increasing the contract budget by \$23,250, effective upon date of execution. This amendment deletes the previous Allocation Sheet and is replaced with a revised Exhibit "B", changes billing instructions, amends Exhibit "D", Special Requirements, and amends Exhibit E, Attachment 2, Biannual Activity Report. (Contract #002231).
10. Guest Speaker contract with Jane Shelley at the rate of \$25 per each presentation titled Personal Perspectives on HIV/AIDS during 1995. (Contract #002371).

\* Public Defender:

11. Personal Services Agreement with Language Exchange to provide interpreting services for clients as needed on a prearranged basis for the period of February 1, 1995, through December 31, 1995, at the rate of \$40 per hour, one hour minimum. (Contract #002372).

\* Assigned Counsel:

12. Personal Services Agreement with David D. Lowell, Attorney at Law, to provide professional legal services in the performing all Superior Court, District Court and Juvenile Court cases that are considered to be conflict of interest cases for the Skagit County Public Defender's office and have been determined to be within the scope of indigent defense at the rate of \$60 per hour for each case. (Contract #002373).
13. Personal Services Agreement with Nick George, Attorney at Law, to provide professional legal services in performing all Superior Court, District Court, and Juvenile Court cases that are considered to be conflict of interest cases for the Skagit County Public Defender's Office and have been determined to be within the scope of indigent defense at the rate of \$60 per hour for each case. (Contract #002374).
14. Certification of inventory on all personal property owned by Skagit County belonging to Commissioner Districts One, Two and Three and Road Districts, purchased from the Current Expense Fund, or other funds of the County. Said inventory is for the twelve month period ending December 31, 1994.
15. Resolution to Call For Public Hearing to Amend Portions of Skagit County Code Section 2.20 Concerning Providing a Defense for Officers, Employees or Volunteers, authorizing counties to provide a defense for and pay monetary judgments incurred on behalf of officers, employees or volunteers under certain circumstances and giving greater accountability and control over expenditures for defense costs and indemnifications for costs and a judgment authorized by this Chapter. (Resolution #15680).
16. Contract for Professional Services with CSA Investigations to provide the service of conducting various levels of claim investigation as assigned by the County Risk Manager at the rate of \$60 per hour for the period of January 1, 1995 until terminated. (Contract #002375).

\* Public Works:

17. Administrative Settlement Offers - Prairie Road Improvement Project - relating to a number of residents along the Prairie Road Improvement Project, scheduled to begin construction in June 1995. There are a total of five residents involved with a total dollar amount of \$3,510.00. The majority of the impacts and suggested monetary settlements relate to loss of items within our existing road right-of-way.
18. Resolution - Amending Resolution No. 15628 Updating Solid Waste Advisory Committee Membership showing one new member representing District #1 Citizens, Dave Ford, one new member representing the City of Sedro Woolley, Jerry Taylor, and one new member representing the Department of Ecology, Peter Christiansen. (Resolution #15681).

**MISCELLANEOUS.**

1. Memorandum of Agreement with Skagit Valley Tulip Festival for the period of January 1, 1995, through December 31, 1994, to fund Tourism Promotion in the amount of \$5,000. Commissioner Wolden made a motion to approve the agreement as presented. Commissioner Anderson seconded the motion and it passed unanimously. (Contract #15682): \$2408
2. Resolution to Appoint Member to Skagit County Fair Advisory Board, appointing Randy Pepper, Anacortes, for the term expiring December 31, 1998. (Resolution #15683).
3. Personal Services Agreement with Jay Carey, Attorney at Law, for the period of March 1, 1995, through December 31, 1995, to provide professional legal services in performing all Superior Court, District Court, and Juvenile Court cases that are considered to be conflict of interest cases for the Skagit County Public Defender's Office. (Contract #002376).
4. 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 13, 1995, the Board, by a majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

Vouchers #5118 through 51, #5118 through 61, PW5 through 272, PW5 - 407, #5-1534, #5 - 1556, #5 - 1558, #5 - 2127, #5001 - 6, #5010 - 41, #5010 - 45, #5010 - 48, #5014 - 58, #5014 - 85 and vouchers #5EL - 31, 5EL - 46, #5001 - 16, #5001 - 29, #5007 - 63, #5007 - 99, #5010 - 106, #5010 - 137, #5014 - 94, #5014 - 128, #5017 - 60, #5017 - 74, #5019 - 47, #5019 - 76, #5020 - 33, #5020 - 49, #5101 - 90, #5101 - 114, #5114 - 232, #5114 - 316, #5017 - 58, #5114 - 94, #5114 - 165, #5114 - 173, #5114 - 186, for a total of \$648,131.03 (Warrants #127616 through #128418), Transmittal #C-11-95.

**DISCUSSION - COMMUNITY DEVELOPMENT BLOCK GRANT - SWINOMISH TRIBE.**

Mike Woodmansee, Budget/Finance Director, reported that the Community Development Block Grant for the Swinomish Tribe has been obtained and the distribution of funds and other procedures should be determined at this time.

Paul Schissler, Grant Facilitator, reviewed the grant process. Mr. Schissler indicated that most required items have been completed and if the income criteria is met, the applicants can apply for funds up to \$10,000.

A discussion ensued in regard to the application process and developing guidelines for eligibility and distribution of funds.



Mr. Woodmansee recommended Paul Schissler to facilitate the distribution of grant funds with a portion of such funds being used for this administration. Several individuals stated their support in regard to Mr. Schissler being named as Facilitator.

Mr. Woodmansee mentioned that the issue of compensation would be further discussed with Mr. Schissler.

Mr. Woodmansee suggested meeting again in approximately 2-3 weeks to provide the Board with an update. Agenda time will be scheduled for this discussion.

DISCUSSION - PROPOSAL FROM SAN JUAN COUNTY REGARDING DETENTION.

Lyle Poolman, Juvenile Probation, reviewed the proposal, indicating that San Juan County has offered to contribute \$100,000 towards construction costs over a 9 year period. San Juan County will also pay the daily rate for facilities when occupied by a referred juvenile, inexchange for a two bed guarantee.

Mr. Poolman stated that a final Resolution will be brought before the Board at a later date.

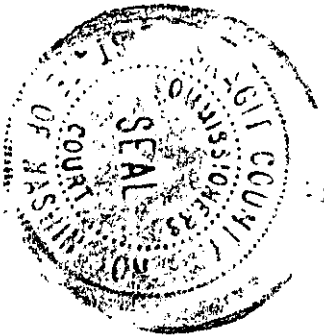
Mr. Poolman also proposed researching the CAPS Program, a State program which will compensate the County for space at the rate of \$102 per day, guaranteeing paying half of this compensation guaranteed whether or not the facilities are used.

The Board concurred that Mr. Poolman should proceed.

ADJOURNMENT:

Chairman Hart made a motion to adjourn the proceedings. Commissioner Anderson seconded the motion. The motion was carried unanimously.

BOARD OF COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON



Robert Hart  
Robert Hart, Chairman

Harvey Wolden  
Harvey Wolden, Commissioner

Ted W. Anderson  
Ted W. Anderson, Commissioner

ATTEST:

Debby Sims  
Debby Sims, Clerk of the Board  
Skagit County Board of Commissioners