

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
Monday, July 17, 1995**

- 8:00 a.m. - 9:00 a.m. Juvenile Probation Department - Lyle Poolman, Director
- 1) Interlocal Juvenile Detention Agreement with San Juan County.
 - 2) Community Commitment Program (CCP).
 - 3) Dally Detention Rates.
 - 4) Miscellaneous.
- 9:00 a.m. - 10:00 a.m. Public Hearing - Solid Waste Disposal Rates.
- 10:00 a.m. - 11:00 a.m. Public Works Department - Jan Keiser, Director.
- 1) Public Hearing - Six-Year Transportation Improvement Program.
 - 2) Signature - FCAAP Agreement with Washington State Department of Ecology for Brickyard Creek Outlet Improvement Project.
 - 3) Resolution Calling for Bids - Guardrail Projects: Bayview-Edlson Road, No. 3121; Cedardale Road, No. 7055; Francis Road, No. 7900; Granstrom Road, No. 0085; Prairie Road, No. 5000; Rockport-Cascade Road, No. 0870; South Skagit Highway, No. 0700.
 - 4) Miscellaneous.
- 11:00 a.m. - Noon Public Hearing - Consideration of Declaring Resource Recovery Facility Equipment as Surplus.
- CONSENT AGENDA.
MISCELLANEOUS.
- 1:30 p.m. - 2:00 p.m. Public Hearing - Budget Amendment.
- 2:00 p.m. - 2:30 p.m. Presentation re: Future Community Development Projects.
- 2:30 p.m. - 3:30 p.m. Public Hearing - Consideration of Ordinance Re: Designation and Protection of Natural Resource Lands.
- 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, July 17, 1995, with Commissioners Harvey Wolden, Robert Hart and Ted W. Anderson present.

JUVENILE PROBATION DEPARTMENT - Lyle Poolman, Director.

1. Interlocal Juvenile Detention Agreement with San Juan County.

Lyle Poolman, Juvenile Probation Director, presented the Interlocal Agreement with San Juan County, to the Board. Mr. Poolman stated that this agreement would provide \$100,000 to the County in return of providing facility space for juveniles at the request of San Juan County.

Commissioner Anderson made a motion to approve the Interlocal Agreement as presented. Commissioner Wolden seconded the motion and it passed unanimously. **(Contract #02511).**

Commissioner Anderson made a motion to approve the Resolution as presented. Commissioner Wolden seconded the motion and it passed unanimously. **(Resolution #15829).**

Record of the Proceedings

Page 2

July 17, 1995

2. Community Commitment Program (CCP).

Mr. Poolman reviewed the aspects involved in the construction of the juvenile facility, mentioning that the main issues were security, safety and design. In regard to the fact that space is now available, Mr. Poolman reviewed the program structure of the Community Commitment Program, stating that if the Juvenile Probation Department agrees to certain specifications, the Community Commitment Program would provide some funding. Mr. Poolman mentioned that in order to do take part in this program, the department would need additional staffing.

A discussion ensued.

Commissioner Wolden expressed his approval of the proposal of adding additional staff in this regard.

3. Daily Detention Rates.

Mr. Poolman presented a Resolution raising the daily detention fees to \$70 per day. Mr. Poolman mentioned that the last time this fee was raised was in the early 1980's.

Chairman Hart made a motion to approve the Resolution as presented. Commissioner Wolden seconded the motion and it passed unanimously. (Resolution #15830).

4. Miscellaneous.

1. Sliding Fee Scale.

Mr. Poolman reviewed the sliding fee scale, which states the maximum at \$30 per day charged to the parent for detention costs and the minimum being \$3 per day, based on family size and income.

Mr. Poolman stated that research has been done as to what other counties charge for juvenile detention in this regard and proposed increasing the fees.

A discussion ensued and the Board concurred to proceed with implementation of the proposed increase in fees.

Staff will provide a Resolution in this regard at a later date.

PUBLIC HEARING - SOLID WASTE DISPOSAL RATES.

Chairman Hart opened the Public Hearing.

Robin LaRue, Public Works Staff, reviewed the sequence of events leading to the Public Hearing in regard to Solid Waste Disposal Rates, mentioning that the Municipality Committee has now asked for a rate study. Mr. LaRue stated the support of Public Works in regard to the rate study. Mr. LaRue mentioned that Anacortes has proceeded with an agreement for their own rate study and indicated the contractor would amend the agreement to include completing a rate study for the County.

A discussion ensued in regard to the responsibility of the cost of the rate study between the Cities and the County. Commissioner Anderson stated that due to the fact the Cities requested this study, they should take the responsibility of the expense. Jan Keiser, Public Works Director, supported the validity of Commissioner Anderson's statement, mentioning, however, that the study would be beneficial for everyone.

Chairman Hart stated his approval of proceeding with the study at the Cities expense, due to the fact that the County has already spent a considerable amount of time studying this issue. Commissioner Wolden concurred.

Mr. LaRue recommended a continuation of the Public Hearing for six weeks to allow the rate study to be completed.

Mike Woodmansee, Budget/Finance Director, reviewed the method used to arrive at the rate of \$108 per ton, which was previously proposed. Mr. Woodmansee also reviewed the costs involved in the closure of the incinerator.

Bill Stensland, discussed various aspects of the rate schedule and a discussion ensued in regard to monies in various funds and the ability to move these monies between several funds.

Ernie Dahl, stated his opposition to the rate increase.

Mr. Stensland inquired about current and future contracts and a discussion ensued.

Tim Crosby, stated that curbside recycling in the Cities does not affect tipping fees. Mr. Crosby discussed the anticipated profit sharing and fee reduction with the Cities.

Mr. Stensland commented on the availability of resources to handle solid waste material.

Commissioner Wolden made a motion to continue the Public Hearing until August 28, 1995, at 9:00 a.m. Chairman Hart seconded the motion and it passed unanimously.

PUBLIC WORKS DEPARTMENT - Jan Keiser, Director.

1. Public Hearing - Six-Year Transportation Improvement Program.

Dave Baltz, Public Works Staff, reviewed the process of the six-year transportation improvement program, stating that the involvement of the public appears to be successful and also stated that working with the Planning Department in regard to the Comprehensive Plan is also effective.

A discussion ensued in regard to several of the projects listed on the six-year transportation improvement program.

Chairman Hart opened the Public Hearing.

Jan Keiser, Director, indicated that there were several changes such as including the Starbird Road project, two carry over projects from 1995 were added, the construction date for the South Skagit Fish Passage Bridge at Parker Creek was moved up to 1996 and Campbell and Rosario Road Projects were removed.

Richard Eppley, 6605 Cascade River Road, stated his support in paving the Cascade River Road to help reduce the dust situation. Mr. Eppley also stated that the improvement of this road would increase tourism.

Don Clark, Marblemount, stated that in regard to the increase of tourist traffic on the Cascade River Road, he supports paving of the road. Mr. Clark also suggested that the County become involved with the Department of Transportation upcoming open hearings process in regard to Highway 20 improvements and stated his support of turnout lanes.

Commissioner Anderson made a motion to close the Public Hearing. Commissioner Wolden seconded the motion and it passed unanimously.

Commissioner Anderson made a motion to approve the Resolution as presented. Commissioner Wolden seconded the motion and it passed unanimously. **(Resolution #15831).**

2. Signature - FCAAP Agreement with Washington State Department of Ecology for Brickyard Creek Outlet Improvement Project.

Dave Brookings, presented the Flood Control Assistance Account Program between the State of Washington and Department of Ecology and Skagit County. Mr. Brookings stated the grant agreement is for the Brickyard Creek Outlet Improvement Project within the Sedro Woolley Sub Flood Control Zone for a total project cost of \$201,777 and stated that the grant is equal to \$100,000.

Mr. Brookings presented the grant agreement for signature in this regard.

Commissioner Wolden made a motion to approve the Grant agreement, as presented. Commissioner Anderson seconded the motion and it passed unanimously. **(Contract #02510).**

3. Resolution Calling for Bids - Guardrail Projects: Bayview-Edison Road, No. 3121; Cedardale Road, No. 7055; Francis Road, No. 7900; Granstrom Road, No. 00895; Prairie Road, No. 5000; Rockport-Cascade Road, No. 0870; South Skagit Highway, No. 0700.

Dave Sheridan, Public Works Staff, presented a Resolution Calling for Bids.

A discussion ensued in regard to the installation and need for guardrails.

Commissioner Anderson made a motion to adopt the Resolution as presented. Commissioner Wolden seconded the motion and it passed unanimously. **(Resolution #15832).**

PUBLIC HEARING - CONSIDERATION OF DECLARING RESOURCE RECOVERY FACILITY EQUIPMENT AS SURPLUS.

Robin LaRue, Public Works Staff, reviewed the process of closing the incinerator and the degradation of the equipment. Mr. LaRue recommended supporting surplus of the equipment at the incinerator.

Chairman Hart opened the Public Hearing.

RECORD OF THE PROCEEDINGS
MONDAY, JULY 17, 1995
Page #5

Alice Sutton, Hamilton, addressed the Board in regard to financial matters surrounding the incinerator and asked the Board to consider putting this issue on the ballot for citizen vote.

Michael Hayes, Cascade Economic Development Association, stated that the equipment at the incinerator could readily be converted to process plastics at 40 tons per day. Mr. Hayes requested on behalf of the foundation that this equipment remain on site and that the surplus in equipment in total be donated to the foundation.

Randy Good, 2346 Minkler Road, Sedro Woolley, expressed his concern of the integrity of the Board to keep the citizens accurately informed.

Ernie Dahl, 902 Benson Road, Bow, stated his disapproval of scrapping the equipment at the incinerator. Mr. Dahl proposed sending this issue to a vote of the people on the ballot in November.

Bill Stensland, Mount Vernon, suggested to the Board that they put this issue on the ballot for a vote of the citizens.

Ed Lipsey, Hamilton, stated his concern in regard to the salvage of the equipment.

Ralph Clemons, Box 202, Lyman, stated his support of keeping the incinerator. Mr. Clemons cited incompetent operators contributed to the problem evolving towards the scrapping of the equipment. Mr. Clemons suggested looking at the options available, other than tearing the incinerator down.

Louis Bertalino, Guemes Island, President of Citizens for Clean Industry, stated her concurrence of the reports put together by the advisory group and the Booz Allen report. Ms. Bertalino stated her support in surplusing the incinerator indicating that the County could use the space.

William Blake, Mount Vernon, stated his concern of creating a liability out of an asset and questioned the validity of scrapping the incinerator.

Ms. Sutton stressed the need of town hall meetings to collect public comment.

Don Coglein, 1126 Marine Drive, Anacortes, appealed the Board to take more time in researching this issue before a decision is determined.

Chairman Hart was excused at this time to attend another meeting.

Mr. Stensland stated that this incinerator was not designed to accept steel and metal and those materials led to the equipment failure which conveys to operator failure. Mr. Stensland urged the Board to put this to vote and for advertising to be published of the provable facts on the pros and cons.

Roy Angevine, Mount Vernon, stated his support of public meetings being held to attain further public input.

Mr. Clemons requested that this issue be submitted to the citizens for vote.

RECORD OF THE PROCEEDINGS
MONDAY, JULY 17, 1995
Page #6

Ms. Bertalino stated the recyclables represent money being burned if they are processed by the incinerator. Ms. Bertalino also addressed the environmental issue.

Mr. Dahl stated that incinerators are being built all over the county, which questions why we would close ours down.

Mr. Blake stated his support of putting this issue before the public for vote.

Mr. Hayes stated that offering a yes or no vote to the citizens eliminates other choices, such as the proposed plastic processing plant.

Commissioner Wolden made a motion to close the Public Hearing. Commissioner Anderson seconded the motion and it passed unanimously.

CONSENT AGENDA.

Chairman Hart made a motion to approve the agenda with the omission of Items #1, #2 and #3.

* Commissioners' Office:

1. Record of the Proceedings from Monday, July 10, 1995.
2. Record of the Proceedings from Tuesday, July 11, 1995.
3. Record of the Proceedings from Wednesday, July 12, 1995.

• Data Processing:

4. Out-of-State Travel Request for Karen Radcliffe to attend the Government and Education System Users Group (Financial System Conference) in Reston, Virginia from September 17 - 20, 1995 for a total cost of \$1,443. (Approved).
5. Out-of-State Travel Request for Nancy Renison to attend the Spillman Data Systems User Conference in Salt Lake City, Utah from August 21 - 26, 1995, for a total cost of \$890. (Approved).

* Juvenile Probation:

6. Personal Services Agreement with Toucan Research & Computer Solutions Claus D. Tjaden, Ph.D., to provide a Skagit County "Together" Evaluation and assist in the selection of evaluation instruments, for the period June 1, 1995 until terminated for a total reimbursement amount of \$2,570. (Contract #02512).

RECORD OF THE PROCEEDINGS
MONDAY, JULY 17, 1995
Page #7

- Clerk:
 7. Appointment and Oath of Office of Deputy County Clerk Tina M. Clark.
 8. Appointment and Oath of Office of Deputy County Clerk Lynn DeWeese.
- Sheriff:
 9. Washington Association of Sheriffs and Police Chiefs Electronic Monitoring Agreement for the period of one year from the date of signature for the compensation as listed in item IIIA. (Contract #02513).

MISCELLANEOUS.

1. Staff presented a Letter of Understanding on behalf of the Parks Department from Pacific Recreation Group, Inc. in regard to the Northern State Recreation Area, Recreation Vehicle Park. Commissioner Wolden made a motion to approve the Letter of Understanding. Commissioner Anderson seconded the motion and it passed unanimously. (Contract #02514).
2. Staff presented agreements on behalf of Senior Services for Off-Project Meal Preparation with Island Hospital (Contract #02516), State of Washington Department of Corrections (Contract #02517) and Affiliated Health Services (Contract #02518) from January 3, 1995 through December 29, 1995. Commissioner Wolden made a motion to approve the contracts as presented. Commissioner Anderson seconded the motion and it passed unanimously.
3. Staff presented a Concomitant Agreement approving #REZ-95-001 for Ken Fowler Property Location - 1531 Cook Road, Bow, WA. Commissioner Wolden made a motion to approve the agreement as presented. Commissioner Anderson seconded the motion and it passed unanimously. (Contract #02515).
4. Staff presented a Resolution awarding the bid of the catered meal program for 1996 with Island Hospital, Affiliated Health Services and the State of Washington Department of Corrections. Commissioner Wolden made a motion to approve the Resolution as presented. Commissioner Anderson seconded the motion and it passed unanimously. (Resolution #15833).
5. Vouchers audited and certified by the auditing officer as required by R.C.W. 42.24.080 and those expense reimbursement claims certified as requested 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, July 17, 1995, by a majority vote, did approve for payment those vouchers included in the above mentioned list and further described as follows:

Vouchers #5006525 through #5007151, #5001-68 through #5001-72, #5007-278, #5007-282, #5007-286, #5007-290 through #5007-294, #5007-296 through #5007-299, #5007-301 through #5007-305, #5010-430 through #5010-436, #5010-438 through #5010-450 for the total amount of \$788,468.43. (Warrants #134189 through #134952). (Transmittal #C28-95).

PUBLIC HEARING - BUDGET AMENDMENT.

Chairman Hart opened the Public Hearing.

Mike Woodmansee, Budget/Finance Director, presented a Budget Amendment to the Board. Mr. Woodmansee stated that this Resolution amends the Current expense fund in the amount of \$450,000, Parks and Recreation - \$5,000, and the Capital Facilities Fund - \$1,150,000.

Mr. Woodmansee mentioned that appropriations for the Best SELF program need to be added to the 1995 budget. Mr. Woodmansee stated that approximately 40% of funding for this program is received from other agencies.

Commissioner Wolden made a motion to close the Public Hearing. Commissioner Anderson seconded the motion and it passed unanimously. (Resolution #15834).

Commissioner Wolden made a motion to approve the Budget Amendment as presented. Commissioner Anderson seconded the motion and it passed unanimously.

Mr. Woodmansee presented a Resolution for a Budget Line Item Change in regard to the Current Expense Fund in the amount of \$300,000.

Chairman Hart made a motion to approve the Line Item Change. Commissioner Anderson seconded the motion and it passed unanimously. (Resolution #15835).

PRESENTATION RE: FUTURE COMMUNITY DEVELOPMENT PROJECTS.

Paul Schissler, Block Grant Facilitator, reviewed the proposed process for Identifying and Prioritizing for the Future Community Development Block Grant funding possibilities.

A discussion ensued in regard to areas and projects which might benefit from these funds.

Mr. Schissler proposed providing assistance for procuring these funds and a discussion ensued in regard to contracting Paul Schissler to coordinate these grant activities.

The Board will review this proposal.

PUBLIC HEARING - CONSIDERATION OF ORDINANCE RE: DESIGNATION AND PROTECTION OF NATURAL RESOURCE LANDS.

Dave Hough, Director, mentioned that he previously provided the Board with a background and draft ordinance regarding the designation and protection of natural resource lands. Mr. Hough mentioned this issue is part of the Growth Management Act to protect and preserve Natural Resource Lands. Mr. Hough mentioned that the purpose of this hearing is to gather public comment and stressed that this hearing is only dealing with the natural resource lands in the unincorporated portions of the County.

A discussion ensued in regard to zoning districts.

Chairman Hart opened the Public Hearing.

Ruth Aven, 275 Barrel Springs Road, mentioned her appreciation of the work involved in preparing the draft Ordinance. Ms. Aven suggested implementing a structure in the Hearings process involving land use issues to eliminate acts of perjury and false testimony. Ms. Aven submitted photos showing various violations.

Bob Rose, Executive Director of Skagitians to Preserve Farmland, stated concerns regarding the designation of those lands previously designated Agricultural Reserve and the shifting of much of previously designated land into a "rural" category.

Elsie Gruber, Chairman, Skagit Audobon Society, stated that birds are a major part of the total ecosystem and they urge the Board to make a determination in regard to natural resource lands in order to help the society identify what they must protect. Ms. Gruber provided maps designating where agriculture is currently being practiced.

Doyle McClure, Sedro Woolley, Board Member of Friends of Skagit County, stated his appreciation on the opportunity to comment on the designation. Mr. McClure urged compliance with the Growth Management Hearings Board in regard to natural lands designation and reviewed various areas of concern within the draft ordinance.

June Kite, Conway Hill, stated that most of her concerns have been addressed, mentioning, however, mentioned that re-adoption of two set of maps that are inconsistent and the planned unit development item should be addressed.

Gerald Steel, Friends of Skagit County, presented various maps to the Board. Mr. Steel stated concern in regard to giving more attention to the Growth Management Act requirement to designate and protect Natural Resource Lands. Mr. Steel suggested looking at this issue in more depth.

Commissioner Anderson made a motion to close the Public Hearing. Commissioner Wolden seconded the motion and it passed unanimously.

Staff will bring this issue back under the regular Planning Agenda on Tuesday, July 25, 1995, at 9:00 a.m.

Chairman Hart stated that the Board will adjourn into Executive Session at 3:30 p.m. for approximately one hour to discuss personnel matters.

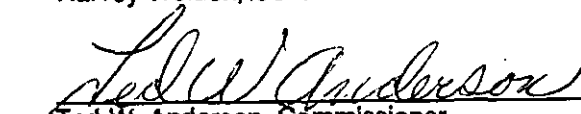
Chairman Hart motioned to adjourn the proceedings. Commissioner Anderson seconded the motion. The motion was carried unanimously.

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON

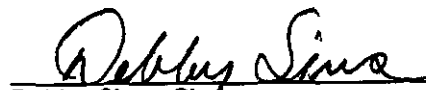



Robert Hart, Chairman


Harvey Wolden, Commissioner


Ted W. Anderson, Commissioner

ATTEST:


Debby Sims, Clerk
Skagit County Board of Commissioners