

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

Tuesday, September 26, 1995

- 7:30 a.m. - 8:30 a.m. Commissioners' Staff Meeting.
- 8:30 a.m. - 9:30 a.m. Work Session - Operations Division Manager/District Maintenance Supervisors.
- 9:00 a.m. - 10:00 a.m. Planning Department - Dave Hough, Director.
- 1) Signature - Attachment "A" Amending Interlocal Agreement with Skagit Conservation District.
 - 2) Signature - Addendum No. 1 to Agreement for Establishing Water Utility Service Area Boundaries Between Public Utility District No. 1 and Skagit County.
 - 3) Code Enforcement Report.
 - 4) Miscellaneous.
- 10:00 a.m. - 11:00 a.m. Public Hearing - Adoption of Capital Facilities Plans for the Following School Districts: Anacortes, Burlington, Conway, Mount Vernon and Sedro Woolley.
- 11:00 a.m. - Noon. Board of Health - Pat Pearce, Director.
- 1) Request from Western Resources Group, Inc. to Waive Skagit County Code Chapter 12.48.240 Requiring only 1 Test Well for a Proposed Subdivision on Morford Road.
 - 2) Request from Barbara Crawfoot to Waive Skagit County Code Chapter 12.48.240 Requiring only 1 Test Well for a Proposed Subdivision on Lake Cavanaugh Road.
- 1:30 p.m. - 2:00 p.m. Bid Opening - Procurement of Maintenance Materials.
- Budget Work Sessions:**
- 2:30 p.m. - 3:00 p.m. County Road Fund.
3:00 p.m. - 3:30 p.m. Equipment Rental.
3:30 p.m. - 4:00 p.m. Facilities Projects Update.

The Skagit County Board of Commissioners met in regular session on Tuesday, September 26, 1995, with Commissioners Robert Hart, Harvey Wolden and Ted W. Anderson present.

Planning Department - Dave Hough, Director.

- 1) **Signature - Attachment "A" Amending Interlocal Agreement with Skagit Conservation District.**

Dave Hough, Director, presented the attachment amending the interlocal agreement. Mr. Hough mentioned that the purpose of this agreement is to detail the conditions of Skagit Conservation District supervise the operation of the Watershed Masters Program. Mr. Hough mentioned that the services of employee, Kristl Carpenter, would be utilized.

Kraig Olason, Planning Staff, stated that this item is not a signature item and no action by the Board was necessary at this time.

Carolyn Kelly, Skagit Conservation District, presented a draft letter of support for the Board's review and signature to the Washington State Conservation Commission Grants Program in support of the provision of matching funds in the amount of \$4,000. Staff will prepare the letter and a Resolution granting the application for the Board's signature next week.

2) Signature - Addendum No. 1 to Agreement for Establishing Water Utility Service Area Boundaries Between Public Utility District No. 1 and Skagit County.

Mr. Olason presented an Addendum No. 1 to the Agreement for Establishing Water Utility Service Area Boundaries, stating that this addendum includes five potential service area expansions.

A discussion followed in regard to water quality standards various other issues of small independent water systems and large utility systems.

Further discussion ensued in regard to clarifying the question of whether citizens would have to approach Public Utility District (PUD) before establishing their own water system and the requirements and appeal process of PUD in this regard.

Commissioner Wolden made a motion to approve Addendum No. 1, as presented. Commissioner Anderson seconded the motion and it passed unanimously. Contract #01452.

3) Code Enforcement Report.

The Code Enforcement Report was reviewed.

4) Miscellaneous.

1. Kristi Carpenter, Planning Staff, presented a Personal Services Agreement with Tom Jay to present the keynote address at the first session of the Watershed masters Volunteer Training program, which is scheduled to take place from 6:30 p.m. to 8:30 p.m. on Wednesday, September 25, 1995. Ms. Carpenter stated that funding will be provided from a grant and that maximum consideration shall not exceed \$300. Commissioner Wolden made a motion to approve the agreement, as presented. Commissioner Anderson seconded the motion and it passed unanimously. (Contract #02623).
2. Mr. Hough presented a Memorandum in regard to County/Cities coordination as a result of the Growth Management Hearing Board's decision. A brief discussion ensued.
3. Mr. Hough also presented a summary of recent legislation in regard to specific major industrial developments outside of urban growth areas. Mr. Hough stated this will be brought back before the Board at a later date.
4. Mr. Hough presented a brief update in regard to the Planning Commission meetings.

Public Hearing - Adoption of Capital Facilities Plans for the Following School District: Anacortes, Burlington, Conway, Mount Vernon and Sedro Woolley.

Dave Hough, Planning Director, presented the staff report relating to adoption of Capital Facilities Plans for five school districts as referenced above, stating that requests from the five districts have been received and that all districts, except Anacortes, are requesting impact fees.

A discussion ensued.

Chairman Hart opened the Public Hearing.

Brad Furlong, 2276 Mann Road, Mount Vernon, stated that he is before the Board today in a "resident" capacity, not as legal counsel, as his children attend Conway School and he lives on Fir Island. Mr. Furlong stated his support of the Capital Facilities Plan and also urged the adoption of the Comprehensive Plan as soon as possible.

Delores Gibbons, Superintendent, Mount Vernon School District, requested that the County adopt the Capital Facility Plan as part of the Comprehensive Plan. Ms. Gibbons commented on the new school construction to meet the growing population and stated that funds are necessary above what the State and local bonds can provide.

Bill Evans, Superintendent, Conway School District, requested approval of the Capital Facility Plan and stated that they are aggressive on advocacy for children and education. Mr. Evans stated that these impact fees have been developed in anticipation of growth in the area.

Mark Leander, Bow, Washington, Burlington School District and Skagit County Assessor, urged the Board to approve the Capital Facility Plan.

Pam Carnahan, Superintendent, Sedro Woolley, stated that the impact fees will be utilized to meet the needs of the district. Ms. Carnahan requested that the Board approve the Plan as presented.

Oscar Lagerlund, Burlington School District, stated that the impact fees should be addressed as soon as possible.

Brian McGinness, Burlington, Home Builders Association, reported that the economy is relatively flat at this time, and that the builders association, affected by the impact fees in Mount Vernon, are not currently interested in new construction in that area.

Dean Hayes, 3194 Montgomery Court, Mount Vernon, stated that he is involved in providing water systems for new home construction, and stated that 40% of the cost of building a new home is impact fees. Mr. Hayes suggested looking at other ways of generating revenue.

A discussion ensued in regard to the impact fee system.

Grace Yuan, on behalf of all school districts that are represented today, requested adoption of the plan and stated that all the districts have basically used the same formula in developing the plan, as presented.

Ms. Yuan reviewed the formulas used in developing these plans.

Commissioner Anderson discussed the idea of looking at other funding areas, possibly at the State level, rather than implementing impact fees.

A discussion followed.

Chairman Hart stated that he is not in complete agreeance with the impact fee issue, however, stated his support of putting the fees in place at this time, in order to proceed. Chairman Hart stated that he anticipates slower growth in the areas with the high impact fees.

The Board concurred their support of schools, stating however, that they do not necessarily support this funding mechanism.

Ms. Yuan stated in agreeance with the Board, that impact fees are only a small part of the solution. Ms. Yuan urged the Board to approve the impact fees in order to move forward.

Edward Peters, Mount Vernon School District, discussed the Mount Vernon School District bond issue. Mr. Peters reviewed the calculations in developing the impact fees in relation to the bond issue. Mr. Peters stated that existing property owners appear to support impact fees.

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

Chairman Hart made a motion to accept the Capital Facility Plans of the school districts, as presented. Commissioner Wolden seconded the motion and it passed unanimously.

Chairman Hart stated that in addition to the Capital Facilities Plan, impact fees have been proposed by four school districts. Chairman Hart made a motion to adopt the impact fee proposals of the four districts. Commissioner Wolden seconded the motion.

A discussion ensued in regard to the impact fees being inappropriate for funding schools and the concern with the proposed fees in Burlington and Mount Vernon.

Chairman Hart and Commissioner Wolden voted in favor of the impact fees, as presented. Commissioner Anderson voted against the impact fee motion. The motion passed.

It was clarified by the Board that impact fees would not be collected until the Comprehensive Plan is adopted.

A discussion ensued in regard to the figures presented representing Mount Vernon School District's proposed impact fees and it was determined that the figures were erroneous.

Commissioner Wolden made a motion to rescind the motion regarding the impact fees, in regard to the discrepancy brought to the Boards attention.

Planning Staff stated that this matter would be corrected and brought back before the Board next week.

BOARD OF HEALTH - Pat Pearce, Director.

John Thayer, Health Department, presented an overview of the proposed waivers to the Skagit County Code Chapter 12.48.240 pertaining to individual wells in sensitive areas. Mr. Thayer presented a Memorandum from John Moffat, Prosecuting Attorney, in regard to the legal opinion of water availability.

Commissioner Wolden was not present for this portion of the regular session.

- 1) Request from Western Resources Group, Inc. to Waive Skagit County Code Chapter 12.48.240 Requiring only 1 Test Well for a Proposed Subdivision on Morford Road.

Ken Willis, Health Department Staff, reviewed the history of the water situation of this plat.

Mr. Willis stated the Department recommends that the best protection for future consumer's to follow the code and require all sources drilled or public system installed, prior to land division approval.

A discussion ensued.

Commissioner Anderson made a motion to grant the waiver request to Western Resources. Chairman Hart seconded the motion and it passed unanimously.

- 2) Request from Barbara Crawfoot to Waive Skagit County Code Chapter 12.48.240 Requiring only 1 Test Well for a Proposed Subdivision on Lake Cavanaugh Road.

Gary Sorenson, Public Works Staff, presented an overview of the request for waiver from Barbara Crawfoot.

Mr. Sorenson recommended that the County demand some guarantees from the developer or legal documentation that will relieve the County liability if in the future someone would drill and not find water, due to that there is bedrock and that the depth of groundwater below the two lots is unpredictable.

A discussion ensued in regard to approving plat lots as buildable lots.

Louis Requa, representing Barbara Crawfoot, stated that even though PUD water is not available on this property, this is forestry zoned property. Mr. Requa stated that the plat note is adequate in this case, as proper notification will be provided to the property owner that the sensitive area exists, adequately protecting the liability of the County. Mr. Requa stated his support of approval of the waiver.

A discussion ensued.

Chairman Hart made a motion to approve the request of waiver of Barbara Crawfoot, with the additional plat note on the Lots 2 and 3. Commissioner Anderson seconded the motion and it passed unanimously.

Gary Sorenson reiterated that there is a very fair chance that there will not be sufficient or quality water on these two waivers.

Proposals for Road Maintenance Materials
Opening Tuesday September 26, 1995 - 1:00 p.m.

Proposals submitted as follows:

1. Bill Bailey for Tires
700 Cascade Hwy
Burlington, WA 98233

Item: Tires
2. Nelson Petroleum
1690 Henson Rd. P. O. Box 340
Mount Vernon, WA 98273

Item: Lubricants
3. Ericksen & Svendson
P. O. Box 752
LaConner, WA 98257

Item: Gravel Products
4. Cuz concrete Products, Inc.
19604 67th Ave. N. E.
Arlington, WA 98223-8769

Item: Concrete Catch Basins
5. Zumar Industries, Inc.
P. O. Box 44549
Tacoma, WA 98444-0549

Item: Traffic Signs
6. Koch Materials LTD
19770 101 Avenue
Langley, British Columbia V3A 4P8 Canada

Item: liquid Asphalt
7. Skagit Petroleum
700 Borseth P. O. Box 248
Sedro Woolley, WA 98284

Item: Lubricants
8. Reisner Distributor, Inc.
310 Commercial Ave. P. O. Box 409
Anacortes, WA 98221

Item: Lubricants

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9. Northwest Fuel dba. Martin Oil Company
1489 Avon Cutoff
Mount Vernon, WA 98273

Item: Lubricants
10. Smith Tractor and Equipment Co.
1712 Hickox Road
Mount Vernon, WA 98273

Item: Grader Blades
11. Lakeside Industries
1165 Havekost Road P. O. Box 729
Anacortes, WA 98221

Item: Gravel Products, Rock Products, Mixed Asphalt Products
12. H. D. Fowler Co.
2165 Midway Lane
Bellingham, WA 98226

Item: Geotextile Stabilization Fabric, Culvert Products, Concrete Catch Basins
13. Chevron U.S.A. - Asphalt Division
20555 Richmond Beach Dr. NW
Seattle, WA 98177

Item: Liquid Asphalt
14. Thunderbird Lubrications
N. 220 Haven
Spokane, WA. 99202

Item: Lubricants
15. Associated Sand & Gravel Co. Inc.
1755 Kelleher Road
Burlington, WA 98233

Item: Gravel Products, Geotextile Stabilization Fabric, Ready Mix Cement-Concrete

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16. Martin Lumber & Hardware Co.
2730 Broadway
Everett, WA 98201

Item: Lumber Products

17. Utility Vault Company
P. O. Box 588
Auburn, WA 98071

Item: Ecology Blocks/Jersey Barricades/Parking Curb

18. Meridian Aggregates Co.
1860 Hickox Road
Mount Vernon, WA 98273

Item: Rock Products

19. Infratech Polymers Inc.
#4 - 19747 Telegraph Trail
Langley, BC Canada V1M 3E6

Item: Mixed Asphalt Products, Crack Sealer Compound

20. Signs and Blanks, Inc.
P. O. Box 2234
Akron, OH 44309-2234

Item: Traffic Signs

21. Newman Signs
1606 6 Ave. SW P.O. Box 1728
Jamestown, ND 58402

Item: Traffic Signs

22. Yorkston Oil Co., Inc.
2801 Roeder Ave.
Bellingham, WA 98225

Item: Lubricants

23. Rolling Bay Timber Company
P. O. Box 4480
Rolling Bay, WA 98061

Item: Lumber Products

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24. Pat Rimmer's Les Schwab Tire Center
P. O. Box 394 903 S. Burlington Blvd.
Burlington, WA 98233

Item: Tires

25. Oso Lumber
1979 Hwy 20
Sedro Woolley, WA 98284

Item: Lumber Products

26. Ludtke Pacific Trucking Inc.
P. O. Box 32598
Bellingham, WA 98228

Item: Road Salt

27. Maccaferri Gabions Inc.
331 Andover Park East
Seattle, WA 98188

Item: Gabions

28. Beaver Lake Quarry
P. O. Box 272
Clear Lake, WA 98235

Item: Rock Products

29. Whatcom Tire Center
210 Northern
Sedro Woolley, WA 98284

Item: Tires

30. U. S. Refining Co.
3001 Marshall Avenue
Tacoma, WA 98421

Item: Liquid Asphalt

31. Washington Culvert Co.
P. O. Box 217
Arlington, WA 98223

Item: Geotextile Stabilization Fabric, Culvert Products

32. Associated Sand & Gravel Co., Inc.
6300 Glenwood Avenue P.O. Box 2037
Everett, WA 98203

Item: Mixed Asphalt Products, Culvert Products, Concrete
Catch Basins

33. Concrete Nor'West
P. O. Box 280
Mount Vernon, WA 98273

Item: Gravel Products, Ready Mix Cement-Concrete, Ecology
Blocks/Jersey Barricades/Parking
Curbs, Concrete Catch Basins

34. Charles R. Watts
4121 6th Ave. NW
Seattle, WA 98107

Item: Geotextile Stabilization Fabric, Gabions

35. Cunningham Crushing
829 Russell Road
Concrete, WA 98237

Item: Gravel Products, Rock Products

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Commissioner Wolden was present for the remainder of the session.

BID OPENING - PROCUREMENT OF MAINTENANCE MATERIALS.

Charlie Sisson, Public Works Staff, opened the following bids, as attached:

FACILITIES PROJECTS UPDATE.

1. Roger Howard, Facilities Manager, presented a Personal Services Agreement with Industrial Hygiene Services, Inc. for providing a hazardous material survey for the two houses located at 1813 Cleveland Street and 1814 Harrison Street. Bob Taylor, Administrative Officer, stated that this survey is necessary to fulfill requirements to fulfill before structure removal. Compensation is not to exceed \$5,000 and the term of this agreement is September 1, 1995, through December 31, 1995.

Chairman Hart made a motion to approve the agreement, as presented. Commissioner Anderson seconded the motion and it passed unanimously. (Contract #02624).

2. Mr. Howard presented Change Orders in regard to the Juvenile Probation project with Anda Construction. Mr. Howard requested that Change Orders #15 - #17 be reviewed before proceeding with approval. Mr. Taylor suggested scheduling an executive session on Monday, October 3, 1995, with Mr. Moffat to discuss these items at that time.

Mr. Howard stated his desire to proceed with discussing Change Orders #7 - #14 and the Board concurred. Mr. Howard reviewed Change Orders #1 - #14. Mr. Howard recommended approval of Change Orders #7 - #14, as presented.

Commissioner Anderson made a motion to approve Change Orders #7 - #14 as presented, with Anda Construction. Chairman Hart seconded the motion and it passed unanimously. (Contracts #02377).

Mr. Howard mentioned in regard to the Juvenile Probation project, they received a certificate of occupancy for the first floor and the second floor certificate should be received next week. Mr. Howard mentioned that the general clean-up such as painting, should be done before moving the Prosecuting Attorney office. Mr. Howard stated that a bid in the amount of \$900 was received to paint the entire floor and Mr. Howard stated he will have a contract for the Board on Monday.

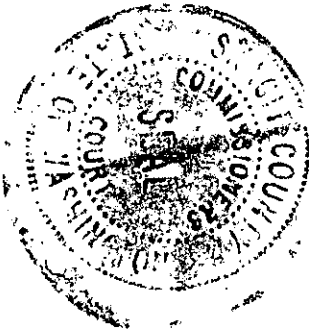
Mr. Howard mentioned that he anticipates moving the Prosecuting Attorney's office on Friday, October 13.

Mr. Howard stated that he has had conversations with Jim Hanson of Earl Hanson Trucking and that the roof project is anticipated to began soon at the Concrete Senior Center.

ADJOURNMENT.

Commissioner Robert Hart made a motion to adjourn the proceedings. Commissioner Harvey Wolden seconded the motion. The motion was carried unanimously.

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON



Harvey Wolden

Harvey Wolden, Chairman

Robert Hart

Ted W. Anderson

Ted W. Anderson, Commissioner

Ted W. Anderson

Robert Hart

Robert Hart, Commissioner

Harvey Wolden

ATTEST:

Debby Sims

Debby Sims, Clerk

Skagit County Board of Commissioners