

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
Monday, December 18, 1995**

- 8:30 a.m. - 9:00 a.m. Executive Session - Personnel, Litigation and Land Acquisition.
Flag Salute.
- 9:00 a.m. - 10:00 a.m. Public Hearing - Consideration of Formation of the Starbird Sewer District, near Starbird and Cedardale Roads.
- 10:00 a.m. - 11:00 a.m. Public Works - Jan Keiser, Director.
1) Signature - Resolution: Extension of Interfund Loan from Insurance Services Fund #503 and County Road Fund #117 to Solid Waste Fund #401.
2) Signature - Letter of Understanding Between Skagit County and Burlington Northern/Sante Fe Railroad.
3) Signature - Memorandum of Understanding Between Skagit County and Peterson Family Trust.
4) Miscellaneous.
- 11:00 a.m. - 11:15 a.m. Parks Projects Update.
CONSENT AGENDA.
MISCELLANEOUS.
- 1:30 p.m. - 2:00 p.m. Work Session - Selection of Roads for Rehabilitation.

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

PUBLIC HEARING - CONSIDERATION OF FORMATION OF THE STARBIRD SEWER DISTRICT NEAR STARBIRD AND CEDARDALE ROADS.

Chairman Hart opened the Public Hearing.

Chairman Hart read R.C.W. 56.02.060 stating the County legislative authority, etc. and 1, 2, and 3.

Harvey Moyer, Mount Vernon, stated that his son owns property below the proposed development, and expressed his concern that the sewage might drain down the road from the development into the creek that is used for gardening and watering the lawn.

Walt Enquist, Mount Vernon, inquired as to the design of the sewer system to be installed.

June Kite, Mount Vernon, neighbor to the proposed project, spoke in opposition to the formation of the Starbird Sewer District. Ms. Kite thanked the Board for the Public Hearing and continued by submitting letters from neighbors in opposition to this issue. Ms. Kite read a letter from Attorney David Bricklin's office, citing the following concerns; 1) the proposed Starbird Sewer District violates comprehensive plan, 2) the formation of a sewer district is prohibited outside of interim urban growth areas, and 3) criteria that must be met have not been addressed. Ms. Kite urged the Board not to approve the application for formation of the sewer district.

Joy Lindberg, Mount Vernon, expressed her opposition to the development. Ms. Lindberg expressed her concern of the effect this might have on the rural area. Ms. Lindberg asked the Board to deny the application.

Barbara Craner, Mount Vernon, stated that she is a neighbor who lives adjacent to the proposed sewer district. Ms. Kraner voiced her apprehension as to the maintenance and financing of the sewer district project. Ms. Kraner stated her opposition to the proposal.

Doyle McClure, Sedro Woolley, questioned the compliance issue with the comprehensive plan in regard to the Starbird Sewer District. Mr. McClure stated that approval would be a clear violation of public trust. Mr. McClure urged the Board to reject this application.

Allen McReynolds, Conway, announced that he lives on Forest Hills Lane which is adjacent to Starbird Road, stated that the formation of this district might infringe on his rights.

John Burrows, Mount Vernon, asked exactly what area this district would encompass. It was stated that this would not exceed the Bertleson complex. Commissioner Wolden explained the area and the process involved, regarding annexation. A discussion ensued in regard to annexation.

Speed Garrett, Mount Vernon, reported that he has been a resident of the area from 1981. Mr. Garrett expressed his concern of this development disrupting the ruralness of the area, which is why he decided to locate there. Mr. Garrett questioned the maintenance of the sewer district and expressed his concern of anticipated major problems in the area. Mr. Garret stated he is very much opposed to the project.

Marion Lawless, Mount Vernon, expressed her desire to have this remain a rural area. Ms. Lawliss stated her concern of increased taxes from this development. Ms. Lawliss worried about the negative impact on the environment, citing that salmon runs could be affected, that urban sprawl is not attractive and that it appeared as though people are rushing in with developments to beat implementation of the Growth Management Act.

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

Chairman Hart reiterated that the Board does have sixty days to make a decision. A discussion ensued.

Commissioner Anderson asked whether there would be drain off into a creek. Dr. Bertleson stated that there would definitely not be any drainoff into the creek and that the system will be an approved design system approved by the State of Washington and the Department of Health.

Harvey Moyer again expressed his concern with the amount of rain we receive running off into the creek.

John Thayer, Health Department, stated that the applicants are looking at a larger on-site sewer system and stated that it would have to be designed to divert any drainage.

Commissioner Anderson asked whether water quality testing in the area streams would take place. Mr. Thayer stated this would have to be stipulated during the permitting process in order to test surrounding streams.

A discussion ensued in regard to the on-site requirements and monitoring of a larger system.

Colonel Betz, Attorney, stated that the original plan included this sewer plan.

Commissioner Anderson made a motion to approve the application for the Formation of the Starbird Sewer District within the area specified. Commissioner Wolden seconded the motion. The motion passed unanimously.

The Board mentioned that the decision will be forwarded to the Boundary Review Board.

A discussion ensued in regard to the process involved.

PUBLIC WORKS - Jan Keiser, Director.

1. Signature - Resolution: Extension of Interfund Loan from Insurance Services Fund #503 and County Road Fund #117 to Solid Waste Fund #401.

Marcia Jaeger, Controller, presented the Resolution in regard to the extension to Interfund loan to solid waste operating fund.

Commissioner Wolden made a motion to approve the Resolution, as presented. Chairman Hart seconded the motion and it passed unanimously. (Resolution #15989).

2. Signature - Letter of Understanding Between Skagit County and Burlington Northern/Sante Fe Railroad.

Ms. Keiser presented a Letter of Understanding as referenced above.

Chairman Hart made a motion to approve the Letter of Understanding. Commissioner Anderson seconded the motion and it passed unanimously. (Contract #02708).

3. Signature - Memorandum of Understanding Between Skagit County and Peterson Family Trust.

Ms. Keiser presented a Letter of Understanding as referenced above.

Commissioner Wolden made a motion to approve the Memorandum as presented. Commissioner Anderson seconded the motion and it passed unanimously. (Contract #02709).

4. Miscellaneous.

1. Robin LaRue provided an update and request for clarification on the collection of flood debris. Mr. LaRue stated that approximately \$10,000 will be spent on collection of flood debris. Mr. LaRue inquired as to where the funds would come from to cover these costs. The Board discussed the possibility of receiving FEMA funds for this type of clean-up. The Board suggested splitting the cost between the road fund and the general fund. Commissioner Wolden made a motion to split the cost between the general and road fund. Chairman Hart seconded the motion and it passed unanimously. Staff will present a resolution in this regard at a later date.

2. Ms. Keiser presented an agreement between Ron and Ken Kaaland (Cockerham Island property owners) and the County regarding the dike problem on Cockerham Island, near Hamilton. A discussion ensued in regard to this agreement and the history of the dike and erosion problem were thoroughly discussed. Commissioner Anderson made a motion to approve the agreement. Commissioner Wolden seconded the motion, stating, however, that John Moffat, Chief Civil Deputy, had not reviewed the agreement at this point. The motion passed unanimously. (Contract #02710).

3. Ms. Keiser presented a Memorandum of Understanding between Emmitt Anderson, Dike District #25 and the County. Commissioner Wolden made a motion to approve the Memorandum of Understanding as presented. Commissioner Anderson seconded the motion and it passed unanimously. (Contract #02711).
4. Ms. Keiser stated that two employees have been experiencing health problems and asked the Board to adopt a Resolution regarding Voluntary Transfer of Sick Leave. Chairman Hart discussed the fact that Kirk Lunsford case had not been reported timely. The Board asked that in the future they are kept apprised of the accidents that happen before the general public is notified.

Chairman Hart made a motion to approve the Resolution, as presented. Commissioner Anderson seconded the motion and it passed unanimously. (Resolution #15990).

Cliff Butler, Public Works Staff, stated that he will make sure the Board is notified of accidents in the future.
5. Ms. Keiser stated that some cracks have been detected on the ferry and that Charlie Tewalt has called for a special inspection in this regard. A discussion ensued.

PARKS PROJECTS UPDATE.

In Jon Aarstad's absence, Jack Davis, Parks Department, gave a brief update to the Board on the Firearms Range and mentioned that there would be a meeting tonight at 7:00 at Big Lake School.

Mr. Davis also advised the Board that the Park Board meeting scheduled for Thursday is pending, due to a possible lack of a quorum.

Mr. Davis reported that flood damage is being determined in the parks and that FEMA is going through Howard Miller Steelhead Park at this time. Mr. Davis reported that Conway Park still has alot of silt.

Mr. Davis introduced Keith Wiggers, Skagit Land Trust, regarding the Big Rock donation. Mr. Wiggers stated that this donation has the express purpose of the land becoming a county park. Mr. Wiggers reported that there will be an attachment to the title in the form of a conservation easement. Mr. Wiggers stated this primarily puts restrictions on the property, such as no harvesting of timber, no excavation, no major alteration of land, no subdivison, and specified construction. Mr. Wiggers stated that trails, parking lot, driveway, and signs are allowed. Mr. Wiggers also reminded the Board that the Park is to be named after Dr. Hoag. Mr. Wiggers stated that the conservation attachment is currently being reviewed by the trust attorney and then will be reviewed by John Moffat, Chief Civil Deputy.

A discussion ensued.

Chairman Hart made a motion to accept the title for the big rock property, as presented, contingent upon the attachment that will be forwarded by counsel and that the County will incur expenses in the amount of \$477. Commissioner Wolden seconded the motion and it passed unanimously.

Mr. Wiggers thanked the Board in this regard.

CONSENT AGENDA

Commissioner Anderson approved the consent agenda as presented. Commissioner Wolden seconded the motion and it passed unanimously.

• Commissioners' Office:

1. Record of the Proceedings from Monday, December 11, 1995.
2. Record of the Proceedings from Tuesday, December 12, 1995.
3. Resolution for Appointment of Pat Johnson to the Substance Abuse Administrative Board to serve a three year term on the Substance Abuse Administrative Board. Term of appointment will be December 18, 1995, through December 18, 1998. (Resolution #15991).
4. Resolution for Appointment of Barbara Clearman, M.S.W. as a Designated Mental Health Professional effective December 18, 1995. (Resolution #15992).
5. Resolution for Appointment of Colleen Thulen as a member to LaConner Rural Partial County Library District Board of Trustees of the term of December 12, 1995, through September 30, 2000. (Resolution #15993).

* Public Works:

6. Resolution Calling for Public Hearing on January 8, 1996, for Vacation of Road Right-of-Way known as Behrens-Millett Road #45820. This vacation is at the request of both the city of Mount Vernon and the Dike District 1. (Resolution #15994).

• Senior Services:

7. Vendor Services Agreement with Swinbunson Enterprises to provide services of Painting existing office walls in the Information and Assistance office and copy room for the amount of \$765.38. The term of this contract will expire on June 21, 1996. (Contract #02713).
8. Contract for Provision of Senior Services for the proposed 1996 contract for the Burlington Community. (Contract #02712).

• ARIS:

9. Personal Services Agreement with Vanessa Soderberg Kleinman for the term of July 10, 1995, through June 30, 1996, to provide services of individual and family therapy for clients referred by the ARIS program. The Contract will be reimbursed \$54 per 50 minute therapy session. (Contract #02714).

* Human Services:

10. Personal Services Agreement with Skagit Community Mental Health Center for the period of January 1, 1996, through December 30, 1996, in the maximum amount of \$30,000 providing for continuation of children's mental health services funded by both the County and DSHS-DCFS. (Contract #02715).

• Health:

11. Resolution Calling for Public Hearing Updating the Skagit County Health Department Schedule of Charges Relative to Food Service Establishment and Immunization Fees. (Resolution #15995).

MISCELLANEOUS.

1. Commissioner Wolden made a motion to approve the Record of the Proceedings for Wednesday, December 18, 1995. Chairman Hart seconded the motion and it passed unanimously.
2. Staff presented a Resolution Calling for Public Hearing Updating the Skagit County Health Department Schedule of Charges Relative to Food Service Establishment and Immunization Fees. Commissioner Wolden made a motion to approve the Resolution, as presented. Commissioner Anderson seconded the motion and it passed unanimously. Resolution #15995.
3. Staff presented a Resolution Appointing Phil Jennings to the Board of Equalization for the term expiring December 31, 1998. Commissioner Wolden made a motion to approve the Resolution, as presented. Commissioner Anderson seconded the motion and it passed unanimously. (Resolution #15996).
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 available to the Board.

As of this date, December 18, 1995, by a majority vote, did approve for payment those vouchers included in the above mentioned list and further described as follows:

Vouchers #5012817 through #5013443, #5007-499 through #5007-504, #5007-506 through #5007-511, #5007-513 through #5007-514, #5007-516 through #5007-521, #5010-1001 through #5010-1007, #5010-1010 through #5010-1016, #5010-1018 through #5010-1019, #5010-1029 through #5010-1032, #5010-1034 through #5010-1040 in the total of \$1,472,297.09. Warrant #142678 through #143533. (Transmittal #C52-95).

5. Mike Woodmansee, Budget/Finance Director, presented a Resolution Closing the Commissioner Special Project Fund #120. Chairman Hart made a motion to approve the Resolution, as presented. Commissioner Anderson seconded the motion and it passed unanimously. (Resolution #15997).
6. Mr. Woodmansee presented a Resolution Closing the Central Communications Fund #504. Commissioner Wolden made a motion to approve the Resolution, as presented. Chairman Hart seconded the motion and it passed unanimously. (Resolution #15998).
7. Mr. Woodmansee presented a Resolution Closing the Storm Water Control Fund #141. Chairman Hart made a motion to approve the Resolution, as presented. Commissioner Wolden seconded the motion and it passed unanimously. (Resolution #15999).
8. Mr. Woodmansee presented a Resolution Authorizing Interfund Loan to Capital Improvements Fund. Chairman Hart made a motion to approve the Resolution. Commissioner Wolden seconded the motion and it passed unanimously. (Resolution #16000).
9. Mr. Woodmansee presented a Resolution Authorizing Interfund Loan to Emergency Communications Fund. Chairman Hart made a motion to approve the Resolution, as presented. Commissioner Anderson seconded the motion and it passed unanimously. (Resolution #16001).
10. Mr. Woodmansee presented a Resolution Authorizing Transfer of 1% of Tax Receipts to Special Paths Fund. Commissioner Wolden made a motion to approve the Resolution as presented. Commissioner Anderson seconded the motion and it passed unanimously. (Resolution #16002).

11. Mr. Woodmansee presented a Resolution regarding the Budget Line Item Change in the Public Health Fund in the amount of \$35,000. Chairman Hart made a motion to approve the Resolution, as presented. Commissioner Anderson seconded the motion and it passed unanimously. (Resolution #16003).
12. Mr. Woodmansee presented a Resolution Modifying Skagit County's Cost Assessment Policy. Chairman Hart made a motion to approve the Resolution. Commissioner Anderson seconded the motion and it passed unanimously. (Resolution #16004).
13. Mr. Woodmansee presented a Resolution regarding the Establishment 1995 Cost Allocation to County Road Fund in the amount of \$961,597. Chairman Hart made a motion to approve the Resolution, as presented. Commissioner Anderson seconded the motion and it passed unanimously. (Resolution #16005).

BID OPENING - RE-ROOFING OF JAIL PROJECT.

Roger Howard, Facilities Manager, stated that six bids were received.

Access Roofing, Seattle
Seattle, WA
\$68,890.00

Snyder Roofing
Tigard, OR
\$71,000.00

Queen City Sheet Metal & Roofing, Inc.
Seattle, WA
\$97,554.00

Lloyd A. Lynch, Inc.
Woodinville, WA
\$64,433.00

Pacific Rainier Roofing, Inc.
Seattle, WA
\$77,785.00

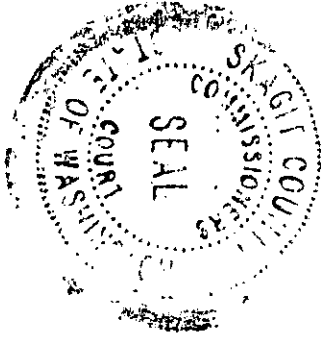
Scholten Roofing, Inc.
Lynden, WA
\$78,945.00

Mr. Howard stated that the bids would be reviewed and brought back to the Board with a recommendation.

ADJOURNMENT.

Chairman Hart made a motion to adjourn the meeting. Commissioner Wolden seconded the motion and it passed unanimously.

BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON




Robert Hart, Chairman


Harvey Wolden, Commissioner


Ted W. Anderson, Commissioner

ATTEST.


Debby Sims, Clerk
Skagit County Board of Commissioners