

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
Monday April 29, 1996

- 9:30 a.m. - 10:00 a.m. Parks Projects Update.
- 10:00 a.m. - 11:00 a.m. Public Works Department - Jan Keiser, Director.
- 1) Signature - Memorandum of Understanding - Washington State Department of Fish & Wildlife, Skagit Systems Cooperative, and U.S. Department of Agriculture: Mount Baker/Snoqualmie National Forest Service.
 - 2) Signature - Resolution Regarding Temporary Road Closure - Cascade Ridge Drive, No. 82020.
 - 3) Signature - Resolution Calling for Public Hearing Regarding Speed Limit Revision on a Portion of Cascade River Road, #9795.
 - 4) Signature - Vendor Services Agreement - Snelson Companies, Incorporated.
 - 5) Signature - Establishment of County Road Project No. 6300-7, Cook Road.
 - 6) Signature - Establishment of County Road Project No. 6141-1, Green Road.
 - 7) Miscellaneous.
- 11:00 a.m. - 11:45 a.m. Signature - Personnel Policy Amendments.
- 11:45 a.m. - Noon. Signature - Big Lake Aquatic Weed Study Grant.
- CONSENT AGENDA.**
- MISCELLANEOUS.**
- 1:30 p.m. - 2:30 p.m. Appeal by Marion Larkin of Hearing Examiner's Decision Denying a Special Use Permit for Construction and Operation of a Private Airstrip located at 2245 Cedardale Road, Mount Vernon (SPU-93-020).
- 2:30 p.m. - 3:30 p.m. Executive Session - Personnel, Litigation and Land Acquisition.

The Skagit County Board of Commissioners met in regular session on Monday, April 29, 1996, with Commissioners Ted W. Anderson, Harvey Wolden and Robert Hart present.

PARKS PROJECTS UPDATE.

1. Dennis Lind, Parks Department, introduced Charlie Neil, who has been working on the Centennial Trail issue and reviewed the procedure in initiating the sale of property adjoining the Centennial Trail. Mr. Neil also presented three agreements with 1) Robert A. Wilcox and Patricia A. Wilcox, 2) William Ray Wilcox and Jean Wilcox and 3) The Hobbick Family Trust, Herman C. Hobbick and Nedra J. Hobbick, Trustor and Trustee, stating that these people have volunteered to sell their property.

Commissioner Hart made a motion to approve the agreements to purchase the right-of-way in the amounts indicated as Robert A. Wilcox and Patricia Wilcox - \$6,104.00, William Ray Wilcox and Jean Wilcox - \$2,464.00, and The Hobbick Family Trust, Herman C. Hobbick and Nedra J. Hobbick, Trustor and Trustee - \$6,608.00, paid for by funds from the IAC funds. Commissioner Wolden seconded the motion and it passed unanimously. **(Contracts #02941 - Robert Wilcox, #02942 - William Ray Wilcox, and The Hobbick Family Trust - #02943).**

2. Mr. Lind presented an Application/Questionnaire for On Going Trail Grooming Project Funding Assistance, which Mr. Lind stated is essentially the same grant application as last year. It was confirmed that these are completely funded by license fees from the snowmobiles in the amount of \$63,763.

Commissioner Hart made a motion to approve the snowmobile trail grooming application. Commissioner Wolden seconded the motion and it passed unanimously. **(Contract #02948).**

3. Mr. Lind presented an Application for Federal Assistance to develop the roadway, campsites and off-street parking for day use and completion of one of the proposed restrooms for the Presentin Park facility.

Commissioner Hart made a motion to approve the application for federal assistance agreement, as presented. Commissioner Wolden seconded the motion and it passed unanimously. **(Contract #02947).**

4. Mr. Lind presented an recreation division update and reported on softball leagues, indoor spring leagues of coed volleyball, mens spring basketball leagues and girls junior high basketball league. Mr. Lind also reported on the

LaConner Fun Run on May 11th, the Skagit Valley Dram Field benefit softball tournament on May 18th, Womens Slowpitch State Championship Tournament in August and the Youth Hershey Track and Field meet on June 1st and reported that the Clear Lake Triathlon is July 13th,

Mr. Lind also reported that the Skagit County Dream Field committee is still meeting regularly and reported on the anticipated plans to apply for funding.

Mr. Lind also updated the Board on the production of the informational Leisure Guide, which incorporates all the parks in the County and Cities and includes a community service page.

Mr. Lind also reported on the Open Gym/Activities happening in the area.

PUBLIC WORKS DEPARTMENT - Jan Keiser, Director.

1. **Signature - Memorandum of Understanding - Washington State Department of Fish & Wildlife, Skagit Systems Cooperative, and U.S. Department of Agriculture: Mount Baker/Snoqualmie National Forest Service.**

Dan Tolliver, Public Works presented an Memorandum of Understanding, as referenced above, for signature. Commissioner Hart made a motion to approve the Memorandum of Understanding for fish passage projects on Lake Cavanaugh Road, Coal Creek and Sibley Creek. Commissioner Wolden seconded the motion and it passed unanimously. **(Contract #02944).**

2. **Signature - Resolution Regarding Temporary Road Closure - Cascade Ridge Drive, No. 82020.**

Dave Sheridan, Division Manager, presented a Resolution in regard to a Temporary Road Closure on a Portion of Cascade Ridge Drive #8202, closing the road to through traffic due to unnecessary loitering, from Tuesday, April 23, 1996 at 7:00 a.m. through October 20, 1996, at 7:00 p.m. The road will be closed to through traffic, including emergency vehicles beginning at Mile Post 1.05 and continuing to Mile Post 1.508.

Commissioner Hart made a motion to approve the Resolution, as presented. Commissioner Wolden seconded the motion and it passed unanimously. **(Resolution #16130).**

3. **Signature - Resolution Calling for Public Hearing Regarding Speed Limit Revision on a Portion of Cascade River Road, #9795.**

Mr. Sheridan presented a Resolution Calling for Public Hearing to lower the speed limit on Cascade River Road from Mile Post 4.5 to Mile Post 5.0 to 20 miles per hour from 20 miles per hour. Commissioner Wolden made a motion to approve the Resolution, as presented. Commissioner Hart seconded the motion and it passed unanimously. **(Resolution #16131).**

Commissioner Hart suggested allowing written testimony on this issue, due to the Eastern County location of this road.

4. **Signature - Vendor Services Agreement - Snelson Companies, Incorporated.**

Ed Hawes, Road Engineer, presented a Vendor Services Agreement with Snelson Companies, Inc. to bore or push a 2" ridged galvanized conduit 23 LF under Avon Allen Road at the Josh Wilson Road Intersection, commencing service on April 9, 1996. Compensation will not exceed \$1,688.

Commissioner Wolden made a motion and Hart seconded the motion and it passed unanimously. **(Contract #02945).**

5. **Signature - Establishment of County Road Project No. 6300-7, Cook Road.**

Mr. Hawes presented a Resolution as referenced above indicating the amount of appropriation as \$109,500.

Commissioner Hart made a motion to approve the Resolution, as referenced above. Commissioner Wolden seconded the motion and it passed unanimously. **(Resolution #16132).**

6. Signature - Establishment of County Road Project No. 6141-1, Green Road.

Mr. Hawes presented a Resolution as referenced above.

Commissioner Hart made a motion to approve the Resolution, as referenced above, indicating the amount of appropriation as \$4,500. Commissioner Wolden seconded the motion and it passed unanimously (Resolution #16133).

7. Miscellaneous.

1. Ms. Keiser, Steve Nesse, Natural Resources Conservation Service, reported that several projects have been reviewed by his agency and that the Sauk-Prairie Road Project has met the qualifications for this program. Mr. Nesse requested that the Board sign a Letter of Request for federal assistance to mitigate damage caused by floods and storms of 1995-1996 to private and public property adjacent to the Sauk River, Skagit County. Mr. Nesse stated that this does not necessarily guarantee funds, however, stating that chances are good for federal assistance due to the work being necessary to safeguard lives and property from an imminent hazard of floodwater and erosion.

Chairman Anderson discussed some ideas that have evolved from meetings with engineers and the residents of the area which would preclude relocation.

A discussion ensued in regard to the costs and the obligations of the County and the responsibilities were briefly outlined as acquiring landrights and permits, operation and maintenance of the project and to fund 25% of the cost of the construction work.

Chairman Anderson stated that if there is an opportunity to help these residents, than we should pursue the options available.

Ms. Keiser stated that the Department recommendation is to offer relocation funds, rather than fund a project without a guaranteed security of protection.

Ms. Keiser discussed the various funding mechanisms and the status of funds for flood relief. Commissioner Hart expounded on the tax issue, stating that there is not general taxpayer support of tax increases. Commissioner Wolden discussed the possibility of a Drainage Utility Commission producing funds for these types of needs.

Corey Schmidt, Planning Department, suggested turning this around so that the County would be asking the Natural Resource Conservation Service for assistance in this project,

It was determined that if federal funds were granted, the funds could be used for protection only, not relocation.

Commissioner Hart told of years ago, residents of the lower valley forming a taxing district for protection and Commissioner Hart stated that maybe this is what would work for the residents of this area. Ms. Keiser discussed the possibility of taking Commissioner Harts suggestion further, and developing a larger river protection district.

Following further discussion, Ms. Keiser submitted a revised department recommendation, stating that relocation is still their first recommendation, however, if it is determined that to proceed with this project, then it would be the Department recommendation to enter into a mutli-agency agreement and address long-term maintenance.

The Board concurred and Commissioner Hart made a motion to approve and sign a Letter of Interest to the Natural Resource Conservation Service as outlined and discussed today. Commissioner Wolden seconded the motion and it passed unanimously.

SIGNATURE - PERSONNEL POLICY AMENDMENTS.

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Stephanie Wood, Personnel Director, continued the discussion in regard to the Education Reimbursement, stating that this portion of the policy will be revised to include that employees currently enrolled be considered under the old personnel policy plan.

Ms. Wood discussed Situations of Business-Related Conflicts, Section 8.8.1, reviewed the difficulty in relatives supervising related employees. Ms. Wood stated that legal counsel has advised that the State of Washington has chosen to protect husband/wife relationships, but that the employment of other relatives is not protected. A discussion ensued in regard to the Domestic Partner portion of Business-Related Conflicts and the Board requested that the Domestic Partner portion be removed from the policy.

In regard to Section 21, Implementation of U.S. Department of Transportation Alcohol and Controlled Substances testing Requirements, Ms. Wood briefly reviewed this portion of the policy and proceeded onto the Departmental Organization chart.

Ms. Wood also briefly reviewed the changes in the following portions of the Personnel Policy Manual; Union Representation, Vacation leave, Eligibility for benefits, Normal Full-time workday, Pay-rate for Temporary and Part-time Employment and Retirement Eligibility and Employee Benefits Eligibility.

Commissioner Wolden made a motion to approve the Amending of the Skagit County Personnel Policies and Procedures Manual as discussed. Commissioner Hart seconded the motion and it passed unanimously.

Ms. Wood will provide a resolution reflecting these changes at a later date.

SIGNATURE - BIG LAKE AQUATIC WEED STUDY GRANT.

Dawn Severin presented the Big Lake Aquatic Weed Study Grants, stating that this grant is to continue the study on the Integrated Aquatic Plant Management Plan for Big Lake. Ms. Severin stated that they are currently studying the best measure to take in implementing the management plan and that planting carp and using sonar are two solutions currently being considered.

Commissioner Hart made a motion to approve the grant, as presented, in the amount of \$62,749. Chairman Anderson seconded the motion and it passed unanimously. **(Contract #02951).**

CONSENT AGENDA.

Commissioner Hart made a motion to approve the Consent Agenda, as presented. Commissioner Wolden seconded the motion and it passed unanimously.

* Commissioners Office:

1. Record of the Proceedings of Monday, April 22, 1996.
2. Record of the Proceedings of Tuesday, April 23, 1996.
3. Resolution in regard to Declaration of Sole Source Purchase for Voice Mail Equipment for the purchase of a voice mail system to be added to our telephone system. **(Resolution #16134).**
4. Vendor Services Agreement with Skagit-Island Electric, Inc. for the period of May 1, 1996, until terminated, not to exceed \$7,500 for the installation of video and lighting for televised public meetings. **(Contract #02946).**
5. Resolution Appointing Lorine Newcomer as a Board Member to Mental Health Advisory Board for the period of April 29, 1996 through April 28, 1999. **(Resolution #16135).**
6. Resolution Calling for Public Hearing to Consider Adoption of a Conservation Futures Tax in the amount allowed by law of .0625 cents per \$1,000 of assessed valuation (\$6.25/\$100,000) to generate a revenue source for issuance of Conservation Futures bonds and generate substantial funds for purchase of development rights on farmland and in critical areas, and would allow the County to apply for matching funds from Federal, State and private sources. **(Resolution #16136).**

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* Parks:

7. Resolution for the Establishment of Change Fund for Skagit County Kid's Spring Fair in the amount of \$200. This fund shall remain active for the period of May 1, 1996, through May 30, 1996. **(Resolution #16129).**

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* **Public Works:**

8. **Out-Of-State Travel Request for Jan Keiser to attend a Telecommunications Workshop and Seminar in Sacramento, California, on May 14 and 15, 1996, as attendance is requested by the County Road Administration Board in order to assist in gaining input relative to the latest telecommunications legislation. All travel expenses will be paid by the Washington State Association of County Engineers. Approved.**
9. **Final Cost Records and Final Records Notebook for the Higgins Airport Way County Road Project #3115-1, showing the funds authorized at \$466,500 and the final cost of the project at \$433,519.53. Approved.**
10. **Supplemental Agreement No. 3 to Personal Services Agreement #01807 with Town and Country Pest Control for pest control services at the Skagit County Recycling and Transfer Facility. This supplement will extend the termination date of this agreement to December 31, 1996 and under the terms of the supplement, the maximum amount payable will be \$6,000. (Contract #01807).**

* **Human Services:**

11. **Personal Services Agreement with Skagit Adult Day Center for the period of April 1, 1996 through December 31, 1996. Compensation will be in the maximum amount of \$3,000 for day activities to be provided by Skagit Adult Day Center to people with developmental disabilities. (Contract #02949).**
12. **Personal Services Agreement Amendment to Contract #02715 with Skagit Community Mental Health for the period of January 1, 1996 through December 31, 1996. The amendment amount of \$20,000 increases the contract to \$50,000 and allows for continuation of a 5 bed Crisis Respite House operation as was previously approved. (Contract #02715).**

* **Sheriff:**

13. **Personal Services Agreement with Glow Cleaners for the term of January 1, 1996, until terminated to provide dry cleaning and laundering services and repair and alterations for the elected officials, employees with Sheriff Guild contracts, Chaplain and Accountant. Compensation will be as outlined in Exhibit 'B' of the contract. (Contract #02950).**

* **Data Processing:**

14. **Out-Of-State Travel request for Charles R. Betker to attend a Networking Technologies and Netware TCP/IP Transport education course to be held in Vancouver, British Columbia, on June 23 - 28, 1996, The total amount would be \$80 per day for lodging and \$30 per day for food, plus mileage. Approved.**

MISCELLANEOUS.

1. **Staff presented a Resolution in regard to a Budget Line Item Change to transfer appropriations from one agency to another due to unanticipated expenditures related to flood damage. Commissioner Hart made a motion to approve the Resolution, as approved. Commisisoner Wolden seconded the motion and it passed unanimously. (Resolution #16140).**
2. **Voucher 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.**

Vouchers #152327 through #153230 and #PW9600000754 through #PW9600001044 and Warrants #74276 through #75118 in the total amount of \$1,137,296.64. (Transmittal #P-09-96).

Vouchers #P1-093001 through P1-093016, P1-235001 through P, P1-236001 through P1236003, 6019-67, 6019-115, 6019-145 through 6019-147, 6019-149 through 6019-150, 6019-154 through 6019-159, 6019-161 through 6019-163, 6019-165, 6021-297 in the total amount of \$1,193,063.19 and Warrant #152003 through #152170. (Transmittal #C20-96).

APPEAL BY MARION LARKIN OF HEARING EXAMINER'S DECISION DENYING A SPECIAL USE PERMIT FOR CONSTRUCTION AND OPERATION OF A PRIVATE AIRSTRIP LOCATED AT 2245 CEDARDALE ROAD, MOUNT VERNON (SPU-93-020).

Jack Swanson, Attorney, representing Marion Larkin, explained the location of the proposed airstrip and indicated where the air traffic would occur. Mr. Swanson stated that the limited air traffic on this airstrip would have little impact on the few residents of the area. Mr. Swanson discussed the idea that Mr. Larkin anticipated eventually including this airstrip on his property when he originally purchased it, as he has been involved in flying for sometime.

Commissioner Wolden inquired as to the complications that could arise from the nearby airstrip which is currently in use. Mr. Swanson stated that this would involve only daylight air traffic activity and that the two airstrips would be visible from one private airstrip site to another. Commisisoner Wolden explained that there would eventually be more residential housing, endangering those residents as aircraft cross over eachother on landing and takeoff from the two airstrips.

Commissioner Hart reviewed the requirements of the Special Use Permit process and emphasized the need to contact the area residents for concurrence of any specific project requiring such a permit.

Chairman Anderson inquired as to what options might be available, reviewing the fact that an earlier denial by the County for more than one resident to use the nearby airstrip, created a "Catch 22" situation for Mr. Larkin. Jeff Morgan, Planning, stated that it still might be possible to expand the current airstrip, rather than having three airstrips operating individually.

Mr. Swanson again explained that the immediate residents have offered no objection to this project.

Chairman Anderson stated that his concern lies in the number of private airstrips in the area, while Mr. Swanson explained that his concern would be more in the quantity of air traffic, not the number of airstrips. It was discussed whether there could be limitations set in this regard.

Commissioner Wolden made a motion to uphold the Hearing Examiner's decision. Commissioner Hart seconded the motion and it passed unanimously.

ADJOURNMENT.

Chariman Anderson made a motion to adjourn the proceedings. Commissioner Wolden seconded the motion and it passed unanimously.

BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON



Ted W. Anderson
Ted W. Anderson, Chairman
Harvey Wolden
Harvey Wolden, Commissioner
Robert Hart
Robert Hart, Commissioner

ATTEST.

Debby Sims
Debby Sims, Clerk
Skagit County Board of Commissioners