

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
Monday, May 13, 1996**

- 9:00 a.m. - 10:00 a.m.      **Board of Health - Pat Pearce, Director.**  
1)      Introduction of Andy Ross, Epidemiologist.  
2)      Discussion - Immunization Action Coalition Membership.  
3)      Discussion - Interlocal Agreement with Soil Conservation District.  
4)      Discussion - Recreational Shellfish Beach Action Plan - 1996.  
5)      Discussion - Environmental Health Emergency Team.  
6)      Discussion - HIV/AIDS Contract Update.  
7)      Miscellaneous.
- 10:00 a.m. - 11:00 a.m.      **Public Works Department - Jan Keiser, Director.**  
1)      Public Hearing - Consideration of Speed Limit Revision - Cascade River Road.  
2)      Discussion - Sauk Prairie Road.  
3)      Signature - Resolution regarding 1996 Skagit County Flood Control Grant Projects.  
4)      Signature - Professional Services Agreement with Fidelity Appraisal Company regarding Inman Landfill Lease Property.  
5)      Signature - Vendor Service Agreement with Lakeside Industries, Inc. regarding Transfer Station Asphalt Work.  
6)      Signature - Grant Agreement with Washington State Department of Ecology regarding Waste Reduction and Recycling Capital.  
7)      Signature - Resolution Calling for Public Hearing regarding Vacation of a Portion of Garden Street.  
8)      Signature - Interlocal Agreement with Town of LaConner regarding Morris Street Reconstruction.  
9)      Signature - Resolution establishing County Road Project for Lyman Hamilton Highway.  
10)     Signature - Supplement No. 1 to Personal Services Agreement with Cascade Communications.  
11)     Signature - Easement with City of Burlington for Chuckanut Valley Veterinary Clinic.  
12)     Signature - Consulting Agreement with U.R.S. Consultants, Inc.  
13)     Miscellaneous.
- 11:00 a.m. - Noon.              **Work Session - Critical Areas Ordinance.**  
  
**CONSENT AGENDA.**  
  
**MISCELLANEOUS.**
- 1:00 p.m. - 3:00 p.m.          **Deliberation and Possible Action - Critical Areas Ordinance.**
- 3:00 p.m. - 3:30 p.m.          **Parks Projects Update.**
- 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, May 13, 1996, with Commissioners Ted W. Anderson, Harvey Wolden and Robert Hart present.

**BOARD OF HEALTH - Pat Pearce, Director.**

**1.      Introduction of Andy Ross, Epidemiologist.**

Pat Pearce, Health Department, introduced Andy Ross as the recently hired Epidemiologist. Mr. Ross briefly reviewed the role of an Epidemiologist and explained the services he will provide for Skagit County.

**2.      Discussion - Immunization Action Coalition Membership.**

Ms. Pearce reported on the success of the Immunization Action Coalition and announced that the Coalition would like to broaden the membership to address various issues.

3. Discussion - Interlocal Agreement with Soil Conservation District.

Britt Pfaff, Health Department Staff, briefed the Board on the Interlocal Agreement with the Health Department, Skagit Conservation District and the Department of Ecology. Ms. Pfaff presented a Resolution in this regard establishing an Interlocal Agreement between the agencies in order to expedite addressing the water quality issues in Skagit County through facilitation of the three entities.

Carolyn Kelly, Skagit Conservation District Manager and Bob Booth, Department of Ecology, were present for this discussion.

Commissioner Hart made a motion to approve the Resolution establishing an Interlocal Agreement with the Health Department, Skagit Conservation District and the Washington State Department of Ecology to address agricultural based nonpoint pollution problems in Skagit County. Commissioner Wolden seconded the motion and it passed unanimously. **(Resolution #16149)**.

4. Discussion - Recreational Shellfish Beach Action Plan - 1996.

This item was omitted from the agenda.

5. Discussion - Environmental Health Emergency Team.

Ms. Pearce discussed the Environmental Health Emergency Team. Ms. Pearce requested that in the event of an emergency or if a disease outbreak should occur, that Ron Palmer, who was recently transferred to the Planning & Permit Center, be available to the Environmental Health Section immediately, due to his expertise in the Environmental Health area. Commissioner Hart urged Ms. Pearce to develop a team to be available in these emergency situations and the Board concurred that Mr. Palmer be part of that team.

6. Discussion - HIV/AIDS Contract Update.

Ms. Pearce reported that the contract is being updated in regard to HIV/AIDS.

7. Miscellaneous.

1. Carolyn Kelly, Manager, Skagit Conservation District, reported to the Board on various grants, urging the Board to look into a contract in regard to the Shellfish Protection District in order to pursue available funding.
2. Ms. Pearce also updated the Board on the Network and reviewed the plan and goals of the Network.

PUBLIC WORKS - Jan Keiser, Director.

1. Public Hearing - Consideration of Speed Limit Revision - Cascade River Road.

Chairman Anderson opened the Public Hearing.

Steve Blair, Public Works, presented information on the requested speed limit reduction on the Cascade River Road. Mr. Blair reported that portions of the road have eroded away due to the winter flooding and that the department is recommending temporary speed limit reduction for safety.

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

Commissioner Wolden made a motion to approve the speed limit reduction on Cascade River Road as outlined. Commissioner Hart seconded the motion and it passed unanimously.

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

2. Discussion - Sauk Prairie Road.

Dave Brookings, Public Works, reported on the status of the meetings with the agencies in regard to this project. Mr. Brookings reported on his attempt to find co-sponsors, the initial costs involved, and presented some general

observations. Jim Chu, U. S. Forest Service, stated that there are some options available. A discussion ensued in regard to presenting a clear message to the public in regard to this project.

Steve Nissley, Natural Resources Conservation Service, discussed the ten day timeline.

A discussion ensued in regard to the particulars of this project and the County responsibility. It was determined to schedule a work session to discuss this further.

3. Signature - Resolution regarding 1996 Skagit County Flood Control Grant Projects.

Dave Brookings, Public Works, presented an overview of the 1996 Flood Control projects and explained each of the projects and the requested grant amounts. Mr. Brookings reported that grant funds in the amount of \$221,594 were requested and that the department recommends \$200,000 for these projects.

Mr. Brookings provided a Resolution naming the 1996 Skagit County Flood Control Grant Projects to the Board for signature.

Leonard Halverson, Flood Committee Member, and representative of the Sterling area project explained that the Sterling and Nookachamps area is not represented by a Dike District, stating that the original intent was for the Dikes to go for a 25 foot protection and further explained that because we are above that, this might possibly be the reason for not funding the two areas to raise homes above the 100 year flood elevation. Mr. Brookings explained that this is an issue of not having an actual entity set up to fund to and that it isn't possible to fund private individuals. Mr. Halverson protested the fact that the \$200,000 is being used to improve dikes.

A discussion ensued in regard to the funding mechanisms and Mike Woodmansee, Budget/Finance Director, explained the process of funding these projects through various budget funding areas.

Commissioner Hart made a motion to approve the Resolution, as presented. Commissioner Wolden seconded the motion and it passed unanimously. (Resolution #16150 ).

4. Signature - Professional Services Agreement with Fidelity Appraisal Company regarding Inman Landfill Lease Property.

Robin LaRue, Public Works Assistant Director, presented an agreement as referenced above, explaining that this will provide appraisal services for the land leased from Island View Farms, Inc at the Inman Landfill in the amount of \$2,500.

Commissioner Hart made a motion to approve the agreement, as presented. Commissioner Wolden seconded the motion and it passed unanimously. (Contract #02958).

5. Signature - Vendor Service Agreement with Lakeside Industries, Inc. regarding Transfer Station Asphalt Work.

Mr. LaRue presented a Vendor Services Agreement as referenced above, with compensation to be paid in an amount not to exceed \$17,000.

Commissioner Wolden made a motion to approve the Agreement, as presented. Commissioner Hart seconded the motion and it passed unanimously. (Contract #02959).

6. Signature - Grant Agreement with Washington State Department of Ecology regarding Waste Reduction and Recycling Capital.

Mr. LaRue presented a Grant Agreement allowing purchase of additional bins for recycling and stated that this is a two year grant and that the Department of Ecology will provide \$100,800 of the funding.

Commissioner Hart made a motion to approve the grant agreement, as presented. Commissioner Wolden seconded the motion and it passed unanimously. (Contract #02960).

7. Signature - Calling for Public Hearing regarding Vacation of a Portion of Garden Street.

Linda Leonhart, Engineering, presented a Resolution Calling for Public Hearing as referenced above to be held June 3, 1996. Commissioner Wolden made a motion to approve the Resolution, as presented. Commissioner Hart

seconded the motion and it passed unanimously. (Resolution #16151).

8. Signature - Interlocal Agreement with Town of LaConner regarding Morris Street Reconstruction.

Young Soo Kim, Public Works, presented an Interlocal Agreement with the Town of LaConner in regard to the Morris Street Reconstruction Design and Construction.

Commissioner Hart made a motion to approve the agreement as presented. Commissioner Wolden seconded the motion and it passed unanimously. (Contract #02961).

9. Signature - Resolution establishing County Road Project for Lyman Hamilton Highway.

Ed Hawes, Engineering, presented a Resolution establishing a County Road Project as referenced above.

Commissioner Hart made a motion to approve the Resolution, as presented. Commissioner Wolden seconded the motion and it passed unanimously. (Contract #16152).

10. Signature - Supplement No. 1 to Personal Services Agreement with Cascade Communications.

This item was removed from the regular agenda at the request of Jan Keiser, Director, to be presented under the consent agenda and will be presented to the Board at a later date.

11. Signature - Easement with City of Burlington for Chuckanut Valley Veterinary Clinic.

Barbara Hathaway, Engineering, presented an Easement with the City of Burlington, explaining the location of this easement and indicating that there will be minimal impact as a result of this easement.

Commissioner Hart made a motion to approve the Easement and Agreement, as presented. Commissioner Wolden seconded the motion and it passed unanimously. (Contract #02962).

12. Signature - Consulting Agreement with U.R.S. Consultants, Inc.

Mr. LaRue presented a Consulting Agreement to provide a modification study at the Transfer Station to determine ways to improve efficiency and to examine the problem areas of the Transfer Facility.

Commissioner Wolden made a motion to approve the Consulting Agreement in the amount of \$12,712, as presented. Commissioner Hart seconded the motion and it passed unanimously. (Contract 02963).

**CONSENT AGENDA.**

Commissioner Wolden 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, May 6, 1996.
2. Record of the Proceedings of Tuesday, May 7, 1996.
3. Record of the Proceedings of Wednesday, May 8, 1996.

\* Public Works:

4. Supplement No. 1 - Local Agency Agreement Francis Road Curve Realignment Project, County Road Project #7900-3 requesting federal construction funding for the project. Contract #
5. Resolution awarding the bid for the Bow Hill Road Project to Sloat and Associates, Inc. for the bid amount of \$354,989.80. (Resolution #16153).
6. Contract with Sloat and Associates, Inc. in regard to the Bow Hill Road project as outlined in the Bid Proposal. (Contract #02964).

\* Facilities:

7. Resolution Calling for Bids for Removal of Wood framed Houses located at 1813 Cleveland Street and 1814 Harrison Street, Mount Vernon, Washington. (Resolution #16154).

\* Planning:

8. Resolution Upholding Hearing Examiner's Decision to Deny Special Use Request #SPU-93-020 of Marion Larkin for the request to allow construction and operation of a private airstrip located at 2245 Cedardale Road. (Resolution #16155).

\* ARIS:

9. Personal Services Agreement with Christine Hook for the term of January 5, 1996, through December 31, 1996, to provide sexual assault interview services for child victims of sexual assault. Compensation will be \$833 per month, based on billings from the Contractor. (Contract #02965).

\* Sheriff:

10. Out-Of-State Travel Request for Keith R. Brown to attend a Western States Information Network 14th Annual Narcotics Information Sharing Conference in Sacramento, California, on June 4 - 5, 1996, for the cost of \$206. (Approved).

**MISCELLANEOUS.**

1. Staff presented an Agreement with the City of Burlington in regard to the National Foods Annexation stating the agreement of voluntary revenue sharing as part of the annexation. Commissioner Wolden made a motion to approve the Agreement, as presented. Commissioner Hart seconded the motion and it passed unanimously. (Contract #02968).
2. Staff presented a Memorandum of Agreement with Washington State University Cooperative Extension indicating the funding allowances for Kay Haaland and John W. Bernard for the period of January 1, 1996, through December 31, 1996. Commissioner Wolden made a motion to approve the Agreement, as presented. Commissioner Hart seconded the motion and it passed unanimously. (Contract #02966).
3. Staff presented Facility Use Agreement with the Marblemount Community Center for the Best SELF Program for the term of June 17, 1996, through August 24, 1996. The fee will be in the amount of \$1,075. Commissioner Wolden made a motion to approve the Agreement, as presented. Commissioner Hart seconded the motion and it passed unanimously. (Contract #01967).
4. Staff presented a Memorandum of Agreement with the Concrete Chamber of Commerce, stating that the Board should initial a change in the compensation rate from \$3,000 to \$5,000, as the \$3,000 was erroneously on the originally signed document. The Board approved and initialed the change as presented. (Contract #02840).

**DELIBERATION AND POSSIBLE ACTION - CRITICAL AREAS ORDINANCE.**

A discussion ensued in regard to legal lots of record, contained on Page Two of the Ordinance. Commissioner Hart commended Jay Derr, Legal Counsel, on the language in the Sensitive Aquifer Area Designation of the Aquifer Recharge portion of the document. Mr. Derr and Jim Cahill, Planning, discussed the drainage ditch issue and the criteria for classification of these streams. A discussion followed in regard to the Aquifer Recharge portion, with Commissioner Wolden inquiring as to whether this additional repetitive language is necessary. Mr. Derr explained that this language is to merely assist the reader of this document by providing clear documentation. A discussion then followed in regard to the Low-Flow Stream Mitigation portion of the document.

A quick recap was provided by Mr. Derr, covering the earlier discussions and changes indicated by the Board in regard to this document.

A discussion ensued in regard to Chairman Anderson's inquiry as to why we did not include a Savings Clause. Mr. Derr reported that due to rulings by the Growth Hearings Board, this was not included.

Commissioner Hart made a motion to adopt the Critical Areas Ordinance (under the authority of the Growth Management

Act, Chapter 16.70A RCW) and Amending SCC 15.04.030(1)(i) relating to exemptions for filling and grading permits in critical areas, and the Addendums A & B, Addendum B being the Letter of Transmittal from the Planning Commission recorded motion and the actual ordinance as corrected in Chapter 14.06, instructing staff to fill in cross references and selecting an effective date of June 13, 1996. Commissioner Wolden seconded the motion and it passed unanimously. **(Resolution #16156).**

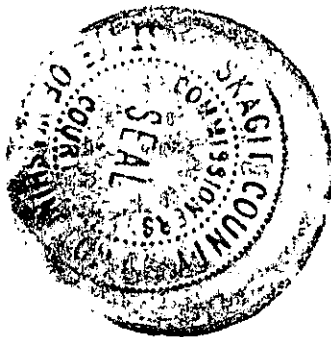
**PARKS PROJECTS UPDATE.**

1. Dreamfield - Mr. Aarstad stated that funding is still being acquired for the Dreamfield through promotional mechanisms and reported that Mariners tickets are currently being marketed throughout the County for a Community Mariner's Baseball night on Saturday, July 13, 1996. Mr. Aarstad stated that the committee has also asked the City of Burlington for a portion of their hotel/motel tax and is pursuing funding through service clubs. Mr. Aarstad stated that due to wet weather, construction is currently being delayed.
2. Firearms Range - Mr. Aarstad stated that the Committee is moving forward in examining alternative sites and that the focus seems to be toward the Bald Mountain site, even though the Coyote Ridge site and the Janicki site are still being considered. Mr. Aarstad reported that the Environmental Impact Statements will be completed on Coyote Ridge and Bald Mountain and a determination will follow.
4. Cook Road Fields - Mr. Aarstad reported that an agreement has been formulated with Mr. Janicki and the School District and that a finalization of the agreement will be forthcoming.
5. Allen Elementary - Mr. Aarstad stated that one additional ballfield has been gained by the school district.
6. Pressentin Park - Mr. Aarstad briefly reported that this project is proceeding.
7. Mr. Aarstad reminded the Board that the Fair Advisory Board and the Parks Board meetings are this week.

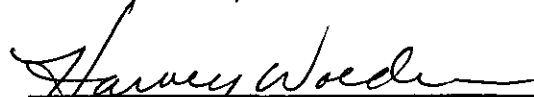
**ADJOURNMENT.**

Chairman 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, Chairman

  
\_\_\_\_\_  
Harvey Wolden, Commissioner

  
\_\_\_\_\_  
Robert Hart, Commissioner

ATTEST.

  
\_\_\_\_\_  
Debby Sims, Clerk  
Skagit County Board of Commissioners