

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
Tuesday, May 28, 1996

- 7:30 a.m. - 8:30 a.m. Commissioner's Staff Meeting.
- 8:30 a.m. - 9:00 a.m. Work Session - Operations Division Manager/District Maintenance Supervisors.
Flag Salute.
- 9:00 a.m. - 9:30 a.m. Planning & Permit Center - Roxanne Michael, Director.
1) Public Hearing to Consider the Adoption or Modification of an Ordinance to Create the "Clean Water District: Edison Subarea with Capital Improvement Plan".
2) Miscellaneous.
- 9:30 a.m. - 10:00 a.m. Discussion - Conservation Futures Survey Results.
- 10:00 a.m. - 11:00 a.m. Public Works Department - Jan Keiser, Director.
1) Discussion - City of Sedro Woolley Request for Resurfacing East End of State Street and Adjacent Roadways.
2) Signature - Resolution regarding Notice of Road Closure - Hoehn Road, No. 91000 (June 10 - July 16, 1996).
3) Signature - Vendor Services Agreement with Peterson Brothers, Inc. regarding Guardrail Installation.
4) Miscellaneous.
- 11:00 a.m. - Noon. Work Session - 1997 - 2002 Six-Year Transportation Improvement Program.
- CONSENT AGENDA.**
- MISCELLANEOUS.**
- 1:30 p.m. - 1:45 p.m. Bid Opening - Provision of Janitorial Service for Public Works Department.
- 1:45 p.m. - 3:00 p.m. Work Session - Natural Resource Lands Ordinance.
- 3:00 p.m. - 4:00 p.m. Public Hearing - Consideration of Adoption and/or Modification of Interim Ordinance No. 16102 (Regulatory Reform).

The Skagit County Board of Commissioners met in regular session on Tuesday, May 27, 1996, with Commissioner Ted W. Anderson, Harvey Wolden and Robert Hart present.

PLANNING & PERMIT CENTER - Jan Keiser, Director.

1. **Public Hearing to Consider the Adoption or Modification of an Ordinance to Create the "Clean Water District: Edison Subarea with Capital Improvement Plan".**

Chairman Anderson opened the Public Hearing.

Roxanne Michael, Director, introduced Tom Karsh, Assistant Director, who presented the proposed ordinance which would create the Clean Water District and establish rules and procedures for the district, as referenced above. Mr. Karsh mentioned that there is an urgency to begin construction as soon as possible. Mr. Karsh outlined the late connection fees and discussed the portion of the ordinance relating to citizens who opt to participate in the future, mentioning that there is a risk of the funding being unavailable at a later date. Mr. Karsh identified the Treasurer's Office, Planning & Permit Center and the Commissioners as key Skagit County departments involved in the process of the Clean Water District.

Alice Sutton, Hamilton, inquired as to who has the "jurisdiction" or the enforcement authority of the subareas. Commissioner Hart responded by stating that the Washington State Department of Health would be responsible for this type of system. A discussion ensued in regard to clarifying what systems the State would have authority over versus the authority at the local level. Ms. Sutton asked that the Ordinance specifically name the entity who is responsible. Mr. Karsh stated that this is already addressed in the proposed Ordinance.

Mr. Karsh pointed out two changes to the proposed Ordinances, one being in the portion of the Ordinance relating to appeals and one in the area of the late connection fees.

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

Commissioner Hart made a motion to approve the Ordinance establishing the Edison subarea, with the changes as indicated by Mr. Karsh. Commissioner Wolden seconded the motion and it passed unanimously.

Mr. Karsh provide a corrected Ordinance in that regard and the Board signed as presented. (Ordinance #16177).

Mr. Karsh presented a Resolution awarding the bid for the Phase I construction of the Wastewater Treatment facility in Edison to R. D. & R. Construction to construct a Wastewater treatment and disposal system for the community of Edison. Commissioner Hart made a motion to approve the Resolution, as presented. Commissioner Wolden seconded the motion and it passed unanimously. (Resolution #16172).

Mr. Karsh also presented a two Personal Services Agreements with George Tchobanoglous to review the design of the recirculating gravel filter proposed for the community of Edison, for a fee of \$2,324.73 , the contract being in effect for the period of April 1, 1996 until terminated and to review the Comprehensive Plan/Facility Plan for Edison for a fee of \$1,946.67, the contract being in effect from January 15, 1996 until terminated. Commissioner Hart made a motion to approve the Personal Services Agreements as presented. Commisisoner Wolden seconded the motion and it passed unanimously. (Contract # 02975 and Contract #02976).

2. Miscellaneous.

Mr. Karsh presented the updated Plat Summary to the Board for review.

DISCUSSION - CONSERVATION FUTURES SURVEY RESULTS.

Bob Rose, Executive Director of Skagitonians To Preserve Farmland, reported to the Board that several contributions have been made along with the County to allow contracting to develop and implement a survey in regard to conservation futures. Mr. Rose introduced Dr. Stuart Elway, who was contracted to conduct the survey. Dr. Elway reported that the initial results are in and that his firm is currently in the process of completing the analysis, anticipating completion at the end of this week. Dr. Elway stated that the survey involved a telephone survey conducted during the past week of 400 registered voters in Skagit County. Dr. Elway reviewed the location of these citizens and percentages of how long they have lived in the County, whether they were homeowners, whether they owned more than one acre, whether currently employed in agriculture now or in the past, and if they were employed in Skagit County or not. Dr. Elway stated that in answers to a question regarding why Skagit County was chosen as their residence, 70% stated that the quality of life was important , 55% responded by saying open space, 52% because of family, 37% recreation, 35% agriculture and 35% business or job opportunities. Dr. Elway reported that long-term County residents deemed agriculture and family as very important in regard to residing in the County. Naming problems in the County today was one of the questions asked and the top answer volunteered by 36% was population growth and the pressures on land. The next question was how important agriculture is to the County and 39% said it was the most important contributor to the county. Dr. Elway continued to review some of the results, stating that 90% of the citizens polled said it was somewhat important to preserve agricultural land. Dr. Elway reported that the questions was asked as to how the polled felt about raising property taxes to protect agricultural land and that 60% had positive responses and 24% were definitely not willing. Dr. Elway stated that the survey concludes that there is definitely strong support on this issue. A discussion followed in regard to ways to present the issue to ensure voters accepting the taxation.

Alice Sutton, Hamilton, discussed the possibility of scheduling a work session in order to educate the public a little more in regard to the 1971 law, sometime before the Public Hearing is held. Chairman Anderson stated that the opportunity would be available for this during the Public Hearing process. The Board also stated that documents could be available for review before the Hearing.

PUBLIC WORKS DEPARTMENT - Jan Keiser, Director.

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1. Discussion - City of Sedro Woolley Request for Resurfacing East End of State Street and Adjacent Roadways.

Dave Sheridan, Public Works staff, presented the City of Sedro Woolley's request for resurfacing the east end of State Street and adjacent roadways. A discussion ensued in regard to the use of the County Road Fund within the County and whether these funds could be used for City road repair. The discussion continued in regard to the County equipment and expertise being available less expensively to the Cities and cooperating to keep this expense to a minimum. Commisisoner Hart mentioned that keeping the roads in good shape benefits the citizens in the County and that the request is reasonable. Ms. Keiser stated that there is not a state law prohibiting the use of County road funds on City streets. Ms. Keiser stated that this is a policy matter and that the decision of the Board on

this matter set a precedent. Commisisoner Hart stated that in the transition from City to County roads, we should contribute our expertise and equipment for the good of the people of the County. A discussion ensued and Commissioner Wolden stated his hesitance in setting this precedent. Ms. Keiser suggested other options, such as setting up a grant program, working much the same water flood control grant programs work or possibly developing a financing mechanism in order to provide financing to the City. Ms. Keiser suggested having a couple of weeks to develop some basic criteria as to how to resolve this problem of setting a precedent of using County road funds on City roads. Spud Walley, Sedro Woolley Mayor, stated they are not interested in funds, but rather in County participation. Mayor Walley also identified exactly where the City limits are and which portion of the project is in the County. A discussion ensued in regard to whether a policy must be in place addressing all the Cities before participating in this specific project. Chairman Anderson made a motion to enter into an agreement for the cost of \$1 to do the road work as requested. Commissioner Hart seconded the motion. Commissioner Wolden voted in opposition to the motion and the motion passed with two in favor and one against.

Mr. Sheridan stated that a Resolution would be prepared in this regard and presented to the Board at a later date. Mayor Walley reiterated the need for interlocal agreements for road work on access roads rather than funding being established.

2. Signature - Resolution regarding Notice of Road Closure - Hoehn Road, No. 91000 (June 10 - July 16, 1996).

Dave Brookings, Public Works Surface Water Management Division Manager, stated that this closure is in regard to installation of a culvert by the Washington State Department of Fish & Wildlife for a fish passage project on Hoehn Road. Mr. Brookings stated that proper notification has been given to the area residents. The Board asked why five weeks were necessary to install this closure and Mr. Brookings responded by stating that this was actually reduced from the Department of Fish & Wildlife's original request of six to seven weeks. Commissioner Wolden made a motion recommending a two week closure due to safety issues involved in a longer closure. Commissioner Hart seconded the motion and it passed unanimously. The Resolution presented was not signed and Ms. Keiser stated that Public Works would bring a corrected Resolution back to the Board following further discussions with the Fish & Wildlife people.

3. Signature - Vendor Services Agreement with Peterson Brothers, Inc. regarding Guardrail Installation.

Mr. Sheridan presented a Vendor Service Agreement with Peterson Brothers to repair the flood damage guardrails on Concrete-Sauk Valley Road, Bake Lake Road and South Skagit Highway. Commisisoner Wolden made a motion to approve the agreement, as presented. Commissioner Hart seconded the motion and it passed unanimously. (Contract # 02977).

4. Miscellaneous.

1. Ed Hawes, Engineering Division, presented Supplement No. 1 to the Local Agency Agreement for the Bow Hill Road Project. The purpose for the revision is due to an error made in requesting reimbursement for federal funds on this project. The total sum of federal funding remains at \$530,000. The revision merely shifts \$3,000 from one portion of P.E. funding to another in order to accommodate the WSDOT Accounting Department bookkeeping records. Commissioner Hart made a motion to approve the Revised Supplement. Commisisoner Wolden seconded the motion and it passed unanimously. (Contract #02696).
2. Robin LaRue, Assistant Director, and Marcia Jaeger, Controller, reviewed the process for collection of solid waste uncollectible accounts. A discussion was held in regard to accepting credit cards only to eliminate the repeated issuance of bad checks. The Board concurred.
3. A discussion ensued in regard to a joint use maintenance facility, Roger Howard, Facilities, asked for the Boards direction on whether to proceed on the design and needs with the idea of SKAT jointly using the building with the County. Commisisoner Hart stated that he would like to see an internal infrastructure developed in order to expand the facility to provide a base station for SKAT if they are able to secure funding for this project and SKAT could then reimburse us for a portion of the construction expense. Mr. Howard suggested that the County revisit the needs and then develop a budget before proceeding. A discussion ensued in regard to developing a building design that is adequate for County growth and that will also provide adjustment if SKAT does not end us using this facility.

CONSENT AGENDA

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

* Commissioner's Office:

1. Record of the Proceedings of Monday, May 20, 1996.
2. Record of the Proceedings of Tuesday, May 21, 1996.
3. Addendum to Personal Services Agreement #02756 with Paul Schissler Associates for the period of January 1, 1996, through December 31, 1996, to provide services of administration and disbursement of Community Development Block Grants. Maximum compensation will be \$15,000 at an hourly rate of \$62 per hour. (Contract #02756).

* Public Works:

4. Ordinance amending Skagit County Code 10.04.030 to Revise the Speed Limit on Cascade River Road No. 9795 from M.P. 0.00 to M.P. 2.5 - 35 miles per hour, M.P. 2.50 to M.P. 3.00 - 20 miles per hour, M.P. 3.00 - M.P. 4.70 35 miles per hour, M.P. 4.70 - M.P. 5.0 - 20 miles per hour, M.P. 5.0 to the end of the road - 35 miles per hour. (Ordinance #16173).
5. Resolution in regard to writing off solid waste uncollectible account that have been researched and where appropriate, submitted to a collection agency, the remaining amounts determined to be uncollectible. (Resolution #16174).
6. Out-Of-State Travel Request for Marcia Jaeger to travel to San Leandro, California, on June 6 - 7, 1996, for the purpose of reviewing the financial system software utilized by the city to assess from the user's standpoint whether the software meets the functional and technical criteria for the County. Total cost of this trip will be \$326. (Approved).
7. Supplement No. 1 to Local Agency Agreement for the Bow Hill Road Improvements, Worline Road to Chuckanut Drive (SR11) CRP #2120-3, reflecting a line item transfer from Construction Engineering; Item n.-Agency of \$14,000 to Item p.-State Forces. This line item transfer is necessary to allow for the payment of the State Project Inspector's wages (Roy Lopez) and this transfer of funds between these line items does not increase or decrease the total overall approved expenditures for this project. (Contract #02806).
8. Resolution Calling for Bids in regard to the Bow Hill Road No. 2120 Project from Darrk Lane to Old 99 N. (Resolution #16175).

* Senior Services:

9. Notice of Grant Award extending funding for RSVP for the remainder of 1996. The final appropriation from Congress includes a reduction for all RSVP projects of 2.5%. The "Federal Share of Budget" on page 1 reflects this reduction and this figure will be the new permanent base funding level for the grant. (Contract #02884).

* ARIS:

10. Personal Services Agreement with Mary L. Hansen for the period of January 1, 1996, through December 31, 1996, to provide individual and/or family therapy for ARIS clients at the rate of \$50 per 50 minute therapy hour. (Contract #02978).
11. Amendment to Contract No. 02831 with Kathie Ketcham, M.A. to include services of Group Therapy and Staff Consultation at a rate of \$45 per hour for individual therapy and staff consultation and \$70 per hour for Group Therapy. The Contractor will be compensated at \$20 per hour for Travel Time. (Contract #02831).

* Sheriff:

12. Community Contribution Memorandum of Understanding with the Upper Skagit Indian Tribe and the State of Washington Gambling Commission in regard to establishing a fund for purposes of providing assistance to Local Law Enforcement Agencies, emergency services and/or other service agencies impacted by the Class III Gaming Facility and to withhold and disburse at least 2.0% of the Net Win from the Class III Gaming Operation for this fund ("Community Contribution"). A committee (majority rule) consisting of a representative of the Upper Skagit Tribal Council, the County, and the State Gaming Agency shall be established. (Contract #02980).

* Treasurers:

13. Sale of Tax Title Property and Deed and Excise Tax Affidavit. The City has deposited moneys with the Treasurers office to pay the taxes which were due as of date of sale, per requirements of RCW 84.64.320 and the recording fee. This is for the Stokely property, Parcel No. P54211. (Deed #00412).

MISCELLANEOUS.

1. 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 made available to the Board.

As of this date, May 28, 1996, by a majority vote, did approve for payment those vouchers included in the above mentioned list and further described as follows:

Vouchers #MW153601-10 in the total amount of \$51,476.08. (Transmittal #C-23-96).

Vouchers #MW153602-11 through #MW153602-11 and Warrants #MW153602 through #MW153602-11 in the total amount of \$2,400. (Transmittal #C-24-96).

2. Staff presented a Resolution regarding the Appeal of Hearing Examiner's Decision approving Shoreline Development Permit #SHL 95-052 of the Washington State Department of Fish & Wildlife. Commissioner Hart made a motion to approve the Resolution. Commissioner Hart seconded the motion and it passed unanimously. (Resolution #16176).

BID OPENING - PROVISION OF JANITORIAL SERVICE FOR PUBLIC WORKS DEPARTMENT.

Robin LaRue, Public Works, stated that five bids were received and opened the bids as follows:

- 1) Skagit Janitorial
P. O. Box 552
Burlington, WA
\$49,537.20
- 2) Geiger's Custom Cleaning, Inc.
P. O. Box 1281
LaConnner, WA
\$52,992.00
- 3) Action Cleaning Service
1806 Riverside Drive
Mount Vernon
\$47,400.00
- 4) Jeff's Janitorial Service
P. O. Box 23
Sedro Woolley
\$16,770.00
(Cash enclosed for bid bond in the amount of \$900)

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- 5) ABM Janitorial Service
1001 Third Avenue SW
Everett, WA
\$27,504.48

Mr. LaRue stated that the bids would be reviewed and a bid award back to the Board at a later date.

PUBLIC HEARING - CONSIDERATION OF ADOPTION AND/OR MODIFICATION OF INTERIM ORDINANCE NO. 16102 (REGULATORY REFORM).

Mr. Karsh presented to the Board, based on comments that they have received, a "red-lined" version of the Ordinance. Mr. Karsh suggested that the Board approve the Ordinance, and explained that it will become one chapter of a rewrite of a development code. Mr. Karsh stated that by the end of June a draft of the development code will be available. Mr. Karsh proposed that the Board approve the changes recommended and in addition to adopting this Ordinance, rather than having it just valid for six months, knowing that a new development code and comp plan in October, suggested that this interim ordinance be valid until the comp plan is completed in October of 1996.

Chairman Anderson opened the Public Hearing.

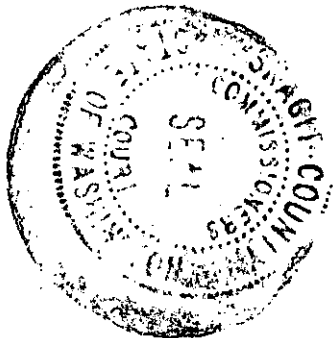
Doyle McClure, Sedro Woolley, spoke on behalf of Friends of Skagit County, requesting for an additional week for written comment to be received and also to change the definition No. 81, Natural Resource Lands, adding resource ag land to that definition. Mr. McClure also commented on the increase in short plats and the removal of administrative appeals for environmental threshold, opposing those changes.

Commissioner Wolden made a motion to close the Public Hearing and leave the comment period open until Friday, May 31, 1996, at 4:30 p.m. Commissioner Hart seconded the motion and it passed unanimously.

Tuesday, May 11, 1996, was the date scheduled for a decision during regular Planning & Permit Center agenda time.

ADJOURNMENT.

Chairman Anderson made a motion to adjourn the proceedings. Commisisoner Hart 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

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