

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
Monday, June 17, 1996**

- 8:00 a.m. - 9:00 a.m. Planning & Permit Center - Roxanne Michael, Director.
- 1) Discussion - Interlocal Agreement with City of Anacortes regarding Adoption and Implementation of the City of Anacortes Urban Growth Area.
 - 2) Discussion - Deliberation and Possible Action on Interim Ordinances No. 16075 and No. 16093, Land Use Controls.
 - 3) Discussion - Deliberation and Possible Action on Interim Ordinance No. 16102 (Regulatory Reform).
 - 4) Miscellaneous.
- 9:00 a.m. - 9:30 a.m. Consideration of Planning Commission's Recommendation for Approval of the Intent of the Planning Commission/Board of County Commissioners in 1980 Relating to South Central District Comprehensive Plan in the Area of Otter Pond Drive (Nookachamp Hills Planned Unit Development).
- 9:30 a.m. - 10:00 a.m. Public Hearing - Repealing Skagit County Code Sections 2.08.010 and 2.08.020 Relating to Mandatory Retirement Age for County Employees.
- 10:00 a.m. - 11:00 a.m. Public Works - Jan Keiser, Director.
- 1) Signature - Bid Award Resolution for Public Works Department Janitorial Services.
 - 2) Divisional Projects/Programs Updates:
 - a) Surface Water Management Division.
 - b) Engineering Division.
 - c) Solid Waste Division.
 - 3) Miscellaneous.
- 11:00 a.m. - 11:30 a.m. Public Hearing - Amending Skagit County Code Chapter 1.20 regarding Adjustment of Boundary Lines for Various Precincts in Skagit County.
- 11:30 a.m. - Noon. Presentation of Wellness Certificates of Commendation.
- CONSENT AGENDA.**
- MISCELLANEOUS.**
- 1:30 p.m. - 2:00 p.m. Bid Opening - Bow Hill Road Improvements, County Road Project #2120-4.
- 2:00 p.m. - 3:00 p.m. Presentation - Citizen Volunteer Improvements to the Cascade Trail.
- 3:00 p.m. - 3:30 p.m. Presentation of Wellness Certificates of Commendation.
- 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, June 17, 1996, with Commissioners Ted W. Anderson, Harvey Wolden and Robert Hart present.

PLANNING & PERMIT CENTER - Roxanne Michael, Director.

1. Discussion - Interlocal Agreement with City of Anacortes regarding Adoption and Implementation of the City of Anacortes Urban Growth Area.

Tom Karsh, Assistant Planning Director, reported to the Board that the discussion of this item has been postponed at this time pending further discussions with Anacortes.
2. Discussion - Deliberation and Possible Action on Interim Ordinances No. 16075 and No. 16093, Land Use Controls.

Jay Derr, Attorney, presented jointly with Mr. Karsh, the "red-lined" version of the Ordinance and reviewed the changes page by page.

Mr. Derr explained that Interim Ordinances No. 16075 and No. 16093 would be repealed and that this Ordinance would be the replacement Ordinance. Maps were presented for illustration and a discussion ensued in regard to the difference between the boundaries in place currently and the boundaries indicated by the new maps.

A discussion ensued in regard to the broadness of the Interim Ordinance and exactly how specific this Ordinance should be and the discussion continued in regard to speculation of what the Western Washington Growth Hearings Board is likely to accept.

Mr. Derr asked for some direction from the Board in regard to whether their desire was to try to comply with the Western Washington Growth Hearings Board or with the Growth Management Act.

A discussion ensued in this regard.

Mr. Derr reminded the Board of the hearings scheduled at the end of the month and outlined the options available as to what they would like taken to the Growth Hearings Board. Mr. Derr described the options as follows: take the Ordinance to the Growth Hearings Board as it is currently, adopt a new Ordinance to take to the Board to replace the current Ordinance, or repeal the Ordinance and take nothing to the Board.

Commissioner Hart indicated that he felt the Ordinance as it is in front of them is not perfect, but it does address enough of the issues to move forward. Commissioner Hart mentioned that he would like to see the people who are in the areas that are already historically there, be able to go on with their lives without this disclaimer which is stifling to them.

A discussion ensued in regard to the thirteen goals of the Growth Management Act and Chairman Anderson commented on the prioritization of these goals by the Growth Hearings Board because they have been so concerned about minimum lot size than anything else, in fact, forgetting about the goal of affordable housing and a discussion ensued in this regard.

Mr. Derr inquired as to the Resource Lands designation, mentioning that the Planning Commission is still working on this designation and have raised some strong concerns of getting done this week with their review of a radically new package of information and designation. Mr. Derr asked if the Board would like to do anything on the interim basis with the Resource Lands designation based in any way on the Natural Resource packet that you had reviewed to put those designations in place for some interim period of time until the Resource Lands review is finished. Mr. Derr stated this might give the County a little more time to address the particulars. A discussion followed in regard to how the Growth Hearings Board might interpret this. Chairman Anderson and Commissioner Wolden stated that the Planning Commission should continue to work diligently on the Resource Lands designation and that we should go to the Growth Hearings Board and report exactly where we are at this point in time pointing out to the Growth Hearings Board that this is a very involved and lengthy process for a volunteer Board.

Mr. Derr also asked the Board about Ordinance No. 16075 in regard to previous discussions of receiving applications down to one acre, yet PUD's were in a different section of No. 16075 and this could be interpreted to take PUD's down to 12,500 square foot lots. Mr. Derr stated that if the Board wanted this to go to one acre, this change has been made in this Ordinance before them today and that this change would clarify this issue. The Board concurred.

Mr. Derr mentioned that he was hearing the Board directing correcting the PUD section, bring back No. 16075 and No. 16093 and take to the Growth Hearings Board, stating that this is what we are doing, but at this point it appeared the Board was not ready to adopt on an interim basis.

Commissioner Hart stated that he liked the context of this Ordinance and mentioned the need for a disclaimer. Commissioner Hart also commented on the clarification that these are simply recognitions of the areas and are a beginning point. Commissioner Hart stated that he would like to see this presented to the Growth Hearings Board.

Commissioner Hart made a motion to have an Ordinance prepared that would address basically this new Ordinance with these areas on it of recognition as a beginning point and then come back with an Ordinance to present to the Board next week. Commissioner Wolden seconded the motion.

At Chairman Anderson's request, Commissioner Hart restated the motion, stating that he moved to approve the concept of this new Ordinance including the language, with a disclaimer on it in that these are areas that we recognize historical building patterns and want to proceed to prove in the Comprehensive Plan that these are legitimate as well as maybe other areas, these areas because of their historic size lots would be approved and can see if we can go before them.

Mr. Derr inquired as to if Commissioner Hart was making a motion to approve an Ordinance that would limit applications to areas that are mentioned. Commissioner Hart clarified that this would not only limit applications, but approvals, in these areas. Commissioner Wolden seconded the motion. Chairman Anderson commented that he still thinks that the Board should go with the original ordinance and that he does not understand going through the process and adopting an Ordinance and then Planning coming back to the Board stating that they want to repeal these Ordinances and draft two more with never going before the Growth Hearing Board. Commissioner Hart and Commissioner Wolden voted in favor of the motion. Chairman Anderson voted against. The motion passed with a vote of 2 - 1.

3. Discussion - Deliberation and Possible Action on Interim Ordinance No. 16102 (Regulatory Reform).

Mr. Karsh reported that this item will be postponed at this time, due to time constraints and the necessity of further legal research.

Consideration of Planning Commission's Recommendation for Approval of the Intent of the Planning Commission/Board of County Commissioners in 1980 Relating to South Central District Comprehensive Plan in the Area of Otter Pond Drive (Nookachamp Hills Planned Unit Development).

Jeff Morgan, Senior Planner, presented a copy to the Board of the referral from the Planning Commission in regard to the issue referenced above. Mr. Morgan provided a brief history of the issue and outlined the options available to the Board.

A discussion ensued in regard to the discrepancy involved on the 1980 Comprehensive Plan map.

Commissioner Hart moved to summarily approve the Planning Commission's recommendation. Commissioner Wolden seconded the motion and it passed unanimously.

Public Hearing - Repealing Skagit County Code Sections 2.08.010 and 2.08.020 Relating to Mandatory Retirement Age for County Employees.

Chairman Anderson opened the Public Hearing.

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

Commissioner Hart made a motion to approve the Ordinance, as presented. Commissioner Wolden seconded the motion and it passed unanimously. (Ordinance #16200).

PUBLIC WORKS - Jan Keiser, Director.

1. Signature - Bid Award Resolution for Public Works Department Janitorial Services.

Jan Keiser, presented the Bid Award Resolution, awarding the bid to Jeff's Janitorial Services. Ms. Keiser stated that a letter was received from Action Cleaning Service and since this was not a formal complaint, they will proceed with the award to Jeff's Janitorial Services. Ms. Keiser stated that references have been checked and there is no evidence that they cannot do the service within the prices indicated.

Commissioner Wolden made a motion to approve the resolution, as presented. Commissioner Hart seconded the motion and it passed unanimously. (Resolution #16201).

2. Divisional Projects/Programs Updates:

a) Surface Water Management Division.

Dave Brookings presented updates on various projects, reporting the status of the Sauk Prairie project, the Muddy Creek project, the Community Rating System, the Feasibility Study and the Flood Warning.

b) Engineering Division.

Dave Sheridan presented project updates for the Engineering Division. Mr. Sheridan reported on the Bridge Unit work on the Guemes Ferry Dolphin Pile Rehabilitation, the Bridge Scour Evaluations, the Bridge Repair & Maintenance Program, and the Bridge Inspections. Mr. Sheridan reported on the status of the Development Review Projects including the Town of LaConner, Morris Street Reconstruction project, the SKAT Maintenance, Operation and Administration Base Site project and the Burlington Maintenance Shop Construction project. Mr. Sheridan also reported on the Muddy Creek project and the Six-Year TIP meetings that are scheduled.

c) Solid Waste Division.

In Robin LaRue's absence, Gary Sorenson reported on the activities of the Solid Waste Division. Mr. Sorenson reported that the Transfer Station and Improvement Study is currently underway to determine improved efficiency. Mr. Sorenson also reported on the Recycling Project, stating that asphaltting at the site is scheduled and when completed, advertising will proceed to promote the recycling implementation at the transfer station.

Public Hearing - Amending Skagit County Code Chapter 1.20 regarding Adjustment of Boundary Lines for Various Precincts in Skagit County.

Chairman Anderson opened the Public Hearing.

Krista Johnson, Elections Supervisor, discussed the various boundary lines to be adjusted. Ms. Johnson presented maps to the Board illustrating the various boundary adjustments.

There being no public testimony, 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 Resolution, as presented. Commissioner Wolden seconded the motion and it passed unanimously. (Ordinance #16199).

Presentation of Wellness Certificates of Commendation.

Billie Dean, presented a brief overview of the reason behind the Wellness Certificates of Commendation, indicating that these certificates are for employees that have used 16 or fewer hours of sick leave in calendar year 1995.

Chairman Anderson commended the employees of this achievement and the dedication involved attaining this status.

Commissioners Hart and Wolden also commended the employees and awarded the certificates to the following:

Robert Taylor, Mike Woodmansee, Stephanie Wood, Mike Almvig, Greg Geleyense, Tom Karsh, Corey Schmidt, Jim Cahill, Gary Christenson, Dave Hough, Jeff Morgan, Edwyna Fong, Linda Britain, Pam Springer, Gene Willett, Gary Gaer, Ross Bailey, Roger Howard, Linda Eiford, Marie McCutchin, Rich Ward, Mary Jane Curtis, John Moffat, Tom Seguine, Hillary Thomas, Dione Clasen, Karen Woollen, Harry Hemphill, Chris Kading, Johnie Rose, Kevin Sigman, Larissa Craig, Luigi Gallino, David Jones, Brian Lehr, Steven McDonald, Randy Parker, Ronald Vater, Jeff Walde, Susan K. Cook, Pam Green, Katie Jungquist, Linda Patterson, Bill Shuler, Pat Pearce, Dan Cain, Dennis Lind, Tim Holloran, Shirley Claybo, Donna Sitts, David Brookings, Sandra Corrión, Bernard Hack, Mack Judd, Jan Keiser, Harmon Marriott, Bryce Melvin, Robert Prater, Peni Ramsey, Charlie Sisson, William Smith, Gary Sorenson, Brian Stephan, Robin LaRue, Tricia Logue, Larry Martinson, Charlie Tewalt, Margaret Eisenhardt, Pat Jorgensen, Jennifer Sass, Alex Von Cube, Lorna Haycox, Ron Palmer, Britt Pfaff, Vin Sherman, and John Thayer.

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, June 10, 1996.
2. Record of the Proceedings of Tuesday, June 11, 1996.
3. Resolution Modifying Statutory Dates for 1997 Budget Schedule to establish the following dates:
July 10, 1996 County Auditor's Budget Notification.
August 12, 1996 Budget Estimate to be Filed with the County Auditor.
September 10, 1996 Preliminary budget shall be submitted by the County Auditor to the Board of County Commissioners.
November 18, 1996 Copies of the Board of Commissioners' preliminary budget made available to the public.
December 2, 1996 Public hearing to adopt the 1997 final budget.

(Resolution #16203).

* Senior Services:

4. Resolution Calling for Bids for catered meals for senior citizens to be delivered to the appropriate nutrition sites for the period of January 1, 1997, through December 31, 1997. The bid opening will be on July 9, 1996, at 1:30 p.m. in the Commissioner's Hearing Room. (Resolution #16204).

* Auditor:

5. Product Purchase Agreement with Office Depot for the term of June 1, 1996, through May 30, 1997, for provision of products to the County. (Contract #03000).

* Assessor:

6. Agreement for Computer Access with Island Title Company for the period of January 1, 1996 through December 31, 1998, for the County to allow the Company access, by telephone line, to data compiled by the Skagit County Treasurer and Assessor stored in the Skagit County computer. The compensation amount will be \$70 per month. (Contract #03001).
7. Agreement for Computer Access with First American Title Company for the period of January 1, 1996 through December 31, 1998, for the County to allow the Company access, by telephone line, to data compiled by the Skagit County Treasurer and Assessor stored in the Skagit County computer. The compensation amount will be \$70 per month. (Contract #03002).
8. Agreement for Computer Access with Mount Vernon Abstract & Title Company, Inc. for the period of January 1, 1996 through December 31, 1998, for the County to allow the Company access, by telephone line, to data compiled by the Skagit County Treasurer and Assessor stored in the Skagit County computer. The compensation amount will be \$70 per month. (Contract #03003).

* Facilities:

9. Resolution Awarding Bid to Catapult Heavy Construction, Inc. for the Removal of Wood Framed Houses located at 1813 Cleveland Street and 1814 Harrison Street in Mount Vernon. (Resolution #16205).

* Planning:

10. Addendum #1 to Consultant Services Agreement # with Wheeler Environmental Inc. to prepare a draft supplement environmental impact statement for the proposed Coyote Ridge Shooting Range to include a new alternative site - Bald Mountain. The attachments outline additional costs relating to the preparation of an draft environmental impact statement in the amount not to exceed \$19,850 and for the contract to be extended to September 30, 1996. (Contract #02719).

* Public Works:

11. Personal Services Agreement with Leonard and Boudinot and Skodje to provide surveying to the Robinson, Cockreham and Lyman-Hamilton projects. This firm was selected off of the Consultants Roster established by Public Works Engineering. These projects are for flood damage repair work and will be partially funded through FEMA. The term of this agreement will be from June 1, 1996, until terminated and will not exceed \$12,000. (Contract #03004).
12. Contract with Island Construction, Inc. for construction of Brickyard Creek Outlet Improvement Project #95-131-01. The project will provide for replacement of an undersized culvert with a new 11 foot diameter culvert and fishway. Funding is provided by a grant from the Department of Ecology and a grant from Skagit County and the Sedro Woolley Sub Flood Control Zone. (Contract #03005).
13. Contract with Associated Sand & Gravel Co., Inc. for the McLean Road Asphalt Overlays, Et Al County Road Project #4400-4 in the amount of \$379,128.08 for the work to be performed. (Contract #03006).
14. Supplement No. 2 to Personal Services Agreement No. 01595 with Columbia Analytical Services. This supplement is necessary due to changes that required conducting different or additional chemical analysis for specific parameters not specified in the original contract. These chemical analyses were required as specified by the Health Department and/or the Department of Ecology. The change required chemical analysis affected sampling conducted at our monitored landfills, abandoned landfills, and miscellaneous sampling conducted by the Health Department. This supplement does not reflect an increase in service cost or any other significant changes from the original contract. (Contract #01595).
15. Professional Services Agreement with Laucks Testing Laboratories, Inc. to analyze water, soil, sediment and sludge samples submitted by the County. This service will terminate on March 31, 1999. Attached Exhibit B outlines the fee schedule. (Contract #03007).

* Sheriff:

16. Out-Of-State Travel Request for Harry Hemphill to attend the FBI National Academy in Quantico, Virginia, on June 29, 1996, through September 13, 1996. The purpose is to promote effective cooperation among law enforcement agencies, provide institutional environment that promotes personal and professional growth, provide instruction in management of personnel and resources and develop advanced technical and operational skills. The cost is \$500 for required uniforms and assessment fee. Approved.

* Health Department:

17. Standard Work Order to provide services to the Department of Social and Health Services beginning June 30, 1997, for Early Intervention Services. This is to provide in-home services to families with babies and young children at risk of child abuse and neglect, to include: assessment, identification of health risk factors, education, developmental testing, information referral, and other needed public health services. (Contract #03008).
18. Amendment No. 2 to the 1996 Consolidated Contract, replacing the Allocation Sheet and amending the Statement of Work and Special Requirements. (Contract #02892).
19. Standard Work Order Amendment in regard to the Infant Toddler Early Intervention program, increasing the sum of the contract by \$2,210. (Contract #02653).

MISCELLANEOUS.

1. Stephanie Wood, Personnel Director, presented a Resolution regarding the amendment of the Skagit County Personnel Policies and Procedures Manual. Ms. Wood stated that in preparation of taking the policies manual to the printer, this change is the result of incorporating the most recent updates in regard to discrimination language and employee conduct and discipline policy. Ms. Wood reviewed the specific changes.

Commissioner Hart made a motion to approve the Resolution, as presented. Commissioner Wolden seconded the motion and it passed unanimously (Resolution #16102).

2. Sheriff Ed Goodman presented a COPS agreement for signature, stating that this is a hiring grant to cover four deputies. Sheriff Goodman outlined the grant funds, indicating that the total award amount is \$300,000. Commissioner Hart made a motion to approve the application for the COPS Universal Hiring Award. Commissioner Wolden seconded the motion and it passed unanimously. (Contract #03009).

Bid Opening - Bow Hill Road Improvements, County Road Project #2120-4.

Ed Hawes, Public Works staff, opened the four bids that were received in regard to this project. Mr. Hawes mentioned that the Engineer's Estimate for this project is \$520,580.

- 1) Kulshin-Condon Associates
Tukwila, WA
\$565,987.50
- 2) SRV Construction
Oak Harbor, WA
\$603,822.00
- 3) R. Excavating, Inc.
Everett, WA
\$549,360.30
- 4) One Way Construction
Sedro Woolley, WA
\$529,430.25

Mr. Hawes reported that the bids will be reviewed and that staff will return with an award recommendation.

Presentation - Citizen Volunteer Improvements to the Cascade Trail.

Dave Towne reported to the Board that Jon Aarstad, Marilyn Pineda and Jim Futrel are also present today in the the audience to answer any questions by the Board. Mr. Towne reviewed his background as a resident of the area. Mr. Towne presented photographs of the trail, stating that his request is to build a walking surface paid from privately raised funds on existing trestles on the Cascade trail between Sedro Woolley and Concrete.

Mr. Towne reviewed the R.C.W.'s pertaining to the trail. Mr. Towne mentioned that this gravel trail can be used by many individuals. Mr. Towne indicated that there are approximately 26 trestles on the trail and mentioned that after much research it has been determined to use 2 X 12 pressure treated lumber side by side over the trestles, this construction done by volunteers and overseen by the Parks and Recreation Department.

Mr. Towne outlined the details of the construction and indicated that this work would begin just east of Sedro Woolley and continue eastward. Mr. Towne also asked the Board to support other groups that may wish to add these types of improvements or surfaces further west on the trail.

Mr. Towne presented a brochure that he planned to use to help market the Cascade Trail and as a tool to gather donations. Mr. Towne briefly outlined other marketing plans in order to publicize the trail and the need for funds.

Mr. Towne asked for support from the County in order to start the process of applying for grants.

Mr. Towne read a Resolution that he had prepared in regard to this issue.

Commissioner Hart inquired as to whether volunteers would also maintain usage of the trail and all the impacts that heavy usage of this trail would cause. Commissioner Hart suggested that a plan be in place before proceeding.

Chairman Anderson mentioned that the Board has already determined that this trail would not be publicized and that since this trail is so controversial, it would be difficult to begin resurfacing of the trestles with so much opposition, indicating that commercialization would create too many impacts on the property owners of the trail area. Chairman Anderson stated that restroom facilities are not budgeted and that we should not market the trail when those items have not been addressed. Chairman Anderson reminded everyone that the property owners opinion should be considered.

Commissioner Hart stated that the impacts need to be considered and a plan developed and suggested listening to public input. Commissioner Hart stated that the Resolution is premature in this regard.

A discussion ensued in regard to the impacts increasing usage of this trail would have.

Commissioner Wolden commended Mr. Towne on his presentation and suggested having the advisory membership to look at these proposals to see what kind of a plan could be developed. Commissioner Wolden reminded Mr. Towne that this is a nature trail.

Commissioner Anderson stated that an Environmental Impact Statement should be done if any development is planned.

A discussion ensued in regard to the fact that since the County previously accepted the trail, a plan should be put in place to address the issues at hand.

ADJOURNMENT.

Chairman Anderson made a motion to adjourn the proceedings. Commissioner 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 Commissioners