

**SKAGIT COUNTY BOARD OF COMMISSIONERS  
AGENDA**

**Monday, September 30, 1996:**

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| 9:00 a.m. - 9:45 a.m.  | Discussion & Possible Action - Video Equipment Upgrade.   |
| 9:45 a.m. - 10:00 a.m.   | Public Comment Period.  |
| 10:00 a.m. - 11:00 a.m.  | Public Works Department - Jan Keiser, Director.<br>1) Updates of Divisional Projects and Programs:<br>a) Surface Water Management Division.<br>b) Operations Division.<br>c) Engineering Division.<br>2) Miscellaneous.   |
| 11:00 a.m. - Noon.   | Appeal by Washington State Department of Transportation of Hearing Examiner's Decision Denying the Variance Request of Washington State Department of Transportation to Allow Construction of a Domed Building to cover an Existing Sand Pile, to be located at 1667 Lake Samish Road, Burlington (PI-96-301).<br><br>CONSENT AGENDA.<br>MISCELLANEOUS. |
| 2:00 p.m. - 2:15 p.m.  | Presentation of Award to Dave Hough for 32 Years of Service with Skagit County.   |
| T<br>Budget Work Sessions:<br>2:30 p.m. - 3:00 p.m.<br>3:00 p.m. - 3:30 p.m. | Prosecuting Attorney.<br>Senior Services.   |
| 3:30 p.m. - 4:30 p.m.  | Executive Session - Personnel, Litigation and Land Acquisition.   |

The Skagit County Commissioners met in regular session on Monday, September 30, 1996, with Commissioners Ted W. Anderson, Harvey Wolden and Robert Hart present.

**DISCUSSION & POSSIBLE ACTION - VIDEO EQUIPMENT UPGRADE.**

Dave Fleming, Risk Manager, discussed the current video taping production taking place, stating that Northland Cable has now begun presenting the Commissioner's meetings and with the persistence of cable users asking their cable companies for this service, more cable companies will be requesting these tapes.

Mr. Fleming discussed the angle of the cameras as they are currently set, stating that in order to provide a better picture, the cameras will have to be lowered and that additional cameras would provide better coverage of the meetings. These additional cameras would enable titles to be shown, to allow the viewer the identity of each speaker. Mr. Fleming continued by commenting on current lighting problems encountered with this production and stated that the addition of several lights would eliminate shadows and other problems. Mr. Fleming stated that the cost of these improvements is estimated to be approximately \$15,600.

Mr. Fleming presented a Resolution regarding the Sole Source Purchase for Upgrade and Addition of Video Equipment. Commissioner Hart made a motion to approve the Resolution as presented. Commissioner Wolden seconded the motion and it passed unanimously. **(Resolution No. 16304).**

**PUBLIC COMMENT PERIOD.**

There being no public comment forthcoming, the Board adjourned until 10:00 a.m. for Public Works.

**PUBLIC WORKS DEPARTMENT - Jan Keiser, Director.**

1. Updates of Divisional Projects and Programs

a) Surface Water Management Division.

Dave Brookings briefly updated the Board on the activities in this division. Mr. Brookings reported on the Coal Creek project, Muddy Creek, Flood Awareness week, and the Skagit River Feasibility study. A discussion ensued in regard to the feasibility study.

b) Operations Division.

Cliff Butler reported on the current projects taking place, mentioning that sweeping, striping, mowing and brush cutting, bridge maintenance, sign maintenance, excavation and pre-load at Burlington Shop site, and gravel work. Mr. Butler stated that several other projects are near completion. Mr. Butler also reported that drug and alcohol testing took place last week and that there were no failures.

c) Engineering Division.

Steve Blair discussed the traffic safety issue, reporting on the spot safety improvement program. Mr. Blair discussed operations taking place, such as removing trees at intersections. Mr. Blair also reported on the fatalities on County roads, stating that statistics show a significant decrease in these serious accidents and credited the DWI programs, the assistance of the Sheriff's office and the Safety Improvement Program as contributors to this decrease. It was mentioned that there are currently 798 miles of County roads. Mr. Blair reported on the results of efforts to target known speeding areas of the County and on the programs of the traffic safety division.

Ms. Keiser commended Mr. Blair on his dedication to this project and thanked the Sheriff's office for their support in this regard.

**APPEAL BY WASHINGTON STATE DEPARTMENT OF TRANSPORTATION OF HEARING EXAMINER'S DECISION DENYING THE VARIANCE REQUEST OF WASHINGTON STATE DEPARTMENT OF TRANSPORTATION TO ALLOW CONSTRUCTION OF A DOMED BUILDING TO COVER AN EXISTING SAND PILE, TO BE LOCATED AT 1667 LAKE SAMISH ROAD, BURLINGTON (PL-96-301).**

Grace Roeder, Planning Staff, presented maps that had previously been provided to the Hearing Examiner, for the Board to review. Ms. Roeder stated that this property is located in Alger, behind the Alger Tavern, and that the Planning Department recommended approval of the variance requested by the WSDOT. Ms. Roeder stated that in the rainy season, the sand piles show some drainage problems which could be prevented by a domed cover, however, the Hearing Examiner denied the request. Ms. Roeder reported that this is the only site WSDOT has available at this time. Ms. Roeder stated that the majority of the neighboring residents are opposed to WSDOT being located at this site at all, especially due to the drainage and leaching and effect on the adjacent properties and traffic. A brief discussion ensued in regard to traffic issues.

The specifics of the domed cover were discussed and it was explained by the WSDOT to be a non-rigid type of cover, such as is used over silage. Commissioner Hart stated that this has been WSDOT's site for some time and if the problem is the drainage, one way to solve the leaching problem would be to cover the pile. Commissioner Anderson expressed concern of the closeness of the site to the nearest residence. James McDonald, WSDOT, stated that the wall is intended to be moved 20 feet away from the current location of the ecology blocks. Mr. McDonald stated that the structure consists of metal supports to hold the material covering the pile, with enough height to allow a loader and dumptruck to get under the structure. A discussion ensued in regard to the water flow on the property.

It was clarified that the Board cannot hear any new information at this time that was not previously heard by the Hearing examiner and Ms. Roeder mentioned the options available to the Board.

Mr. McDonald pointed out that their jurisdiction extends into Skagit County and continued by introducing other representatives in attendance today of the Washington State Department of Transportation. Mr. McDonald stated that the WSDOT has looked at other alternative sites and found this was their best option. In this regard, they would take precautions against leaking and drainage problems on to adjacent properties. A discussion ensued in regard to regulations pertaining to leaching in which not only private citizens must follow, but also the state. Mr. McDonald continued by stating it was WSDOT's belief that the Hearing Examiner erred in several areas. Mr. McDonald reviewed the reasons he believed this variance should be granted and the special circumstances in regard to this variance request. Mr. McDonald expressed the need for continued use of this facility and stated that the WSDOT is not insensitive to its neighbors. Mr. McDonald stated the request of the WSDOT is to accept the recommendation of the Planning Department and remand this to the Hearing Examiner for reconsideration.

Peter Harper, resident of Alger, asked that the Board review the evidence submitted by the property owners to the Hearing Examiner. Mr. Harper discussed the adverse effects this structure would have on their property by the only one foot setback off of the County road.

Marge Kennedy, Alger resident, first stated that the address is incorrect, as 1667 Samish, is her address. She also stated she purchased her property in 1976 and that the WSDOT started using this several years after this. Ms. Kennedy also mentioned that the proposed cover will not solve the problem.

Charles McNallie, Alger resident, stated that his complaint is that it is impossible for DOT to enter their property without trespassing onto his property and they will not assist with maintenance of the road. Mr. McNallie, stated that this structure will also be a obstruction to his business and impede sight.

Commissioner Hart asked about this being a temporary remedy and questioned the re-locating time period. Mr. McDonald stated that he only has a guess of six years.

Chairman Anderson asked about the entrance to the yard in regard to vehicle traffic. Mr. McDonald stated that he was not aware that this was a problem until the first community meeting where it was requested that the alley be paved. However, the alley cannot be paved by the State.

It was discussed that this structure be placed on another part of the site. Commissioner Hart queried legal counsel as to if it would be suitable to allow a temporary permit until a new site is located and whether the Board could today pass those conditions.

John Moffat, Chief Civil Deputy, stated that the Board can impose conditions on any permit issued, but that they cannot overturn the Hearing Examiner if there is not substantial evidence to support that. Mr. Moffat suggested postponing deliberations until they can review the entire record.

Commissioner Wolden stated that if the bunker was relocated, it would be more compatible with the neighborhood. Mr. McDonald stated that it is about as small and useful as it can be made right now.

Commissioner Wolden made a motion to take an additional two weeks to review the entire record before making any determination in regard to this issue. Commissioner Hart seconded the motion and it passed unanimously.

The Appeal was rescheduled to be considered by the Board of Commissioners on Tuesday, October 15, 1996, at 11:00 a.m.

#### 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 September 23, 1996.
2. Record of the Proceedings of September 24, 1996.
3. Record of the Proceedings of September 25, 1996.
4. Resolution regarding Transfer of Surplus Computer Equipment, as the Town of Concrete has a use for five computer workstations for use in their public library and the County has such computer workstations in excess of its needs. There will be no funds exchanged in this transaction. (Resolution No. 16305).
5. Personal Services Agreement with Shelley Holt for the term of September 23, 1996, until terminated. Compensation will be at \$43 per hour, not to exceed \$5,000. Ms. Holt will provide services in regard to miscellaneous human resources management related projects as assigned. (Contract No. 03199).
6. Resolution regarding Legal Holidays for the year 1997. (Resolution No. 16306).
7. Letter of Request to the Unit Manager of Enhanced 9-1-1 Unit requesting approval for the 1996-1997 Enhanced 9-1-1 Grant Funds to include those costs outlined in the 1995-1996 E 9-1-1 Grant Contract and two additional items listed on Attachment B of the letter. The total of the additional items is \$136,130. **Approved.**

8. Resolution Authorizing Call for Public Hearing regarding Supplemental Budget in the amounts of \$199,769 from the Public Works Building Fund and \$290,800 in the Sedro Woolley Flood Control Fund. **(Resolution No. 16307).**
9. Resolution regarding Budget Line Item Change in the County Road Fund #117 in the amount of \$617,020. **(Resolution No. 16308).**
- Information Services:
  10. Personal Services Agreement with InterLink Network Group, Inc. for the term of September 30, 1996, until terminated to provide consulting for network services, design and implementation. Compensation will not exceed \$135 per hour for services rendered and shall not exceed \$20,000 in total expenses per year. **(Contract No. 03200).**
- Parks:
  11. Personal Services Agreement with Northwest Logging, for the term of September 19, 1996, until terminated to provide services of removing debris from the old railroad bridge over the Skagit River just east of SR9. Compensation will be at the rates as indicated in Exhibit "B" as attached to the contract. **(Contract No. 03201).**
- Public Works:
  12. Personal Services Agreement with Northwest Cooperaage to procure recycled, empty 55 drums to be used to package and dispose of waste chemicals collected at the Household Hazardous Waste Collection Center. Drums are eligible for 60% cost reimbursement from the Department of Ecology through a grant program and it is estimated that 300 drums will be purchased annually at a total cost of \$6,750, after reimbursement. **(Contract No. 03202).**
  13. Resolution Establishing Eligibility List for Procurement of Maintenance Materials. **(Resolution No. 16309).**
- Sheriff:
  14. Hold Harmless Agreement for Emergency Vehicle Operation Training on Airport Property for the term of October 3 to October 18, 1996. **(Contract No. 03203).**
- Planning:
  15. Resolution in regard to an Appeal of the Hearing Examiner's Approving Shoreline Variance Permit #SHL 95-044 by Barry & Nancy Otterholt, as the Board upheld the subject appeal and remanded the request to the Hearing Examiner Pro-Tem for reconsideration. **(Resolution No. 16310).**
  16. Ordinance amending Chapter 15.20 of the Skagit County Code Flood Damage Prevention Ordinance to incorporate Code of Federal Regulations (CFR) Provisions Necessary to maintain Compliance with the National Flood Insurance Program. **(Ordinance No. 16311).**
- Senior Services:
  17. Vendor Services Agreement with Blythe Plumbing & Heating, Inc. to provide services of replacement of has fired boiler and system components and the addition of another heating zone for a complete and working system in the Mount Vernon Senior Center. Compensation will be in an amount not to exceed \$13,994.60. The contract begins on September 24, 1996 until terminated. **(Contract No. 03204).**
- Health:
  18. Amendment No. 4 with the State of Washington Department of Health deleting the Allocation Sheet in its entirety and replaced with revised Exhibit B to increase the contract by \$1,305. The contract will be effective July 1, 1996. **(Contract No. ).**

• Parks:

- 19. Resolution Awarding Bids for Removing Flood Debris from the Railroad Bridge Piers east of Highway 9 and Disposing of the material as per specifications, to Rick Tingley dba Northwest Logging with a base bid of \$34,100. (Resolution No. 16312).

MISCELLANEOUS.

- 1. Vouchers certified and audited 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, September 30, 1996, by a majority vote, did approve for payment those vouchers included in the above mentioned list and further described as follows:

Vouchers #MTHLY098001 through #MWTHLY098018, #MTHLY4251001 through #MTHLY4252003, #6010000580, #6010114 through #6010117 in the total of \$1,186,606.25. Warrants #161030 through #161073. (Transmittal #C44-96).

Vouchers #158141 through 159089 and PW9600002340 through PW9600002650 and Warrants #80377 through #81280. Warrants #80377 through #81280. (Transmittal #P-21-96).

- 2. Staff presented a Resolution in regard to appointing Maggie Woodward to the LaConner Partial Library as an alternate. (Resolution No. 16313).

PRESENTATION OF AWARD TO DAVEHOUGH FOR 32 YEARS OF SERVICE WITH SKAGIT COUNTY.

The Board of Commissioners presented a plaque to Mr. Hough commending him on his 32 years of service with Skagit County. Mr. Hough briefly reviewed his history with the County, mentioning the various departments in which he worked.

ADJOURNMENT.

Chairman Ted W. Anderson made a motion to adjourn in to Executive Session. Commissioner Harvey Wolden seconded the motion and it passed unanimously.

BOARD OF COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON

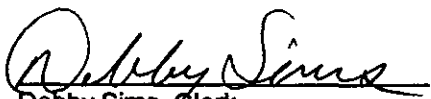
  
Ted W. Anderson, Chairman

  
Harvey Wolden, Commissioner

  
Robert Hart, Commissioner



ATTEST.

  
Debby Sims, Clerk  
Board of Commissioners