

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
Monday, October 7, 1996

8:45 a.m. - 9:00 a.m. Public Comment Period.

Budget Work Session:
9:00 a.m. - 10:00 a.m. Solid Waste.

10:00 a.m. - 11:00 a.m. Public Works Department - Jan Keiser, Director.
1) Introduction of New Moderate Risk Hazardous Waste Specialist.
2) Signature - Standard Consultant Agreement with River Oaks Communication Corporation.
3) Updates of Divisional Projects and Programs:
 a) Surface Water Management Division.
 b) Engineering Division.
 c) Operations Division.
 d) Solid Waste Division.
4) Miscellaneous.

11:00 a.m. - Noon. Discussion with City of Mount Vernon regarding Southern Urban Growth Area Revenue Sharing and Annexation.

CONSENT AGENDA.
MISCELLANEOUS.

Budget Work Sessions:
1:30 p.m. - 2:30 p.m. Health.
2:30 p.m. - 3:00 p.m. District Court.
3:00 p.m. - 3:30 p.m. District Court Probation.
T 3:30 p.m. - 4:00 p.m. Assessor.
4:00 p.m. - 4:30 p.m. Coroner.

The Skagit County Board of Commissioners met in regular session on Monday, October 7, 1996, with Commissioners Ted W. Anderson, Harvey Wolden and Robert Hart present.

PUBLIC COMMENT PERIOD.

Randy Martin, Marblemount, stated his disappointment in the County as it has not been responsive to the residents. Mr. Martin proceeded to discuss a recent incident with the Planning Department and the County Code Compliance Officer regarding the Sauk Prairie Road project. Mr. Martin reported that the Code Compliance Officer had "red tagged" the rock pit as illegal and continued to shut the job down, ignoring the emergency resolution signed by the Board of Commissioners to complete this job. Mr. Martin stated that this was not a pleasant incident, as the Code Compliance Officer acted in an intimidating and threatening manner and had no authorization to threaten with arrest. Mr. Martin discussed the history of the pits and stated that there is a state law still in effect that does not require pits 3 acres of size and under to be permitted.

A discussion ensued and Commissioner Wolden commented on the fact that the Resolution does not automatically authorize any pit to operate. Commissioner Wolden inquired as to whether there was possibly a permit issued from the Department of Natural Resources in the past.

Frank Bryson, owner of the pit in question, reported that this pit was never permitted and discussed the previous agreement between Bryson Brothers and the County developed in the late 1950's.

Mr. Martin reminded the Board that a pit under 3 acres does not have to have a permit to comply with Washington State law, thus this pit would never have been issued a permit.

Chairman Anderson commented on the permits that have been in operation for years, stating that these should continue and not have to be permitted under all new regulations.

Dewey Hyatt, One Way Construction, Sedro Woolley, the contractor on the Sauk Prairie job, stated that the Code Compliance Officer has shut the job down twice, on site, where he has no jurisdiction. Mr. Hyatt stated that this job can be completed this week if they are allowed to proceed. Mr. Hyatt asked the Board to examine the conduct of the Code Compliance Officer.

PUBLIC WORKS DEPARTMENT - Jan Keiser, Director.

1. Introduction of New Moderate Risk Hazardous Waste Specialist.

Jan Keiser reported that the new Moderate Risk Hazardous Waste Specialist is not available today, but will be introduced to the Board at a later date.

2. Signature - Standard Consultant Agreement with River Oaks Communication Corporation.

Ms. Keiser presented the above agreement for the Boards signature in regard to the Contractor developing a Right-of-Way Management Plan for Skagit County. Commissioner Hart stated that as long as the committees have reviewed this, we should proceed, as timing is important.

Commissioner Hart made a motion to approve the agreement as presented, in an amount not to exceed \$30,000. Commissioner Wolden seconded the motion and it passed unanimously. **(Contract No. 03205).**

3. Updates of Divisional Projects and Programs:

a) Surface Water Management Division.

Dave Brookings stated that most of the construction projects will be completed this week and reviewed Jackman Creek, Coal Creek, South Skagit Highway, Cockreham Island, Brickyard Creek, and Muddy Creek projects. Mr. Brookings also reported on upcoming work sessions and meetings in which his division is involved.

b) Engineering Division.

Dave Sheridan reported on Francis Road, Reservation Road, and Bow Hill Road projects. Mr. Sheridan also reported on the survey crew projects.

c) Operations Division.

Andy Shaw, in Cliff Butler's absence, reported on the various projects and activities of crews in Districts One, Two and Three.

d) Solid Waste Division.

Robin LaRue updated the Board on the operations at the Resource Recovery Facility, reporting that the cranes were down again last week due to mechanical failure. A brief discussion ensued in regard to the cranes.

4. Miscellaneous.

Ms. Keiser briefly updated the Board on various items, stating that SKAT has asked Public Works to participate in the design of the March's Point Park and Ride, reporting on Muddy Creek and commended Dave Brookings on his work on the Interlocal Agreement with Fish & Wildlife.

DISCUSSION WITH CITY OF MOUNT VERNON REGARDING SOUTHERN URBAN GROWTH AREA REVENUE SHARING AND ANNEXATION.

Mayor Skye Richendrfer, City of Mount Vernon, thanked the Board for allowing time for this discussion and apologized for the way this issue was presented in the media. Mayor Richendrfer presented a map that illustrated the boundaries, stating that these boundaries were agreed upon previously between the City and the County. Mayor Richendrfer stated that he was a contributing participant in the development of these boundaries and is confused as to what is questionable now from what was previously agreed upon and discussed.

Mayor Richendrfer mentioned that City Councilman, Don Bottles, and City Planner, Rick Cisar, were also present today.

Commissioner Hart referred to the fact that due to the order from the Western Washington Growth Hearings Board, the County has been precluded from any considerations in regard to the urban growth boundaries. Gary Christenson, Planning staff, concurred that this was correct, nothing had been done on the urban growth boundaries due to the order from the Growth Hearings Board.

A discussion ensued in regard to which maps had the most current and correct information. Commissioner Wolden suggested that all maps from the County mapping department have a date stamped on them to eliminate this confusion in the future.

Mayor Richendrfer stated that the Mount Vernon City Council is looking to him for answers and clarifications.

Mr. Christenson read a paragraph of a memo which was sent to the Board explaining the process pertaining to the designation of urban growth areas and continued by stating that this issue will proceed with ample time for public review and then bring to the Board of Commissioners as a recommendation.

The question was raised by the Mayor as to where in the process the changes were made and Commissioner Wolden asked the same question of the Mayor. Mayor Richendrfer stated that the changes he is proposing were discussed in the County-Wide policies meetings.

Mayor Richendrfer stated that he will not sign a "blank check" in regard to revenue sharing when the boundaries have not been determined.

Commissioner Wolden commented on the boundaries themselves and a discussion ensued in regard to the lines near the Christenson property, Britt Slough area and the Rundgren property.

Mr. Bottles discussed the Southwest corner of the boundaries, stating that the City Council feels that Britt Slough should be a natural boundary. Mr. Bottles also mentioned that the council is concerned about agricultural lands which they would like to encourage and discourage residential development in the flood plain. The issue of de-annexation was discussed and Mr. Bottles seemed to think the council would consider this.

Commissioner Wolden briefly commented on the window of opportunity available and mentioned that there was some time to continue with these discussions and receive public input.

Chairman Anderson concurred with Mayor Richendrfer's confusion and inquired as to why things were changed after determinations were made at the County-Wide Policies meetings. Mr. Christenson stated that these changes possibly took place at meetings that he had not been in attendance and did not receive information from.

Rick Cisar stated that the City Council sent a letter with these proposed recommendations in July to the Board, indicating the boundary line changes.

Commissioner Wolden stated that since the Natural Resource Lands maps have been approved, the County can proceed with the urban growth areas.

Chairman Anderson suggested that Mount Vernon's proposal be considered and that steps be taken to work towards a collaborative effort to resolve this issue. Roxanne Michael, Planning Director, suggested that the Planners and the Planning Commission meet to eliminate any mis-communication.

Mayor Richendrfer asked that the impacts to the City of Mount Vernon be considered.

Mayor Richendrfer reiterated that the City will not be signing an Interlocal until this issue is resolved. Commissioner Wolden reminded that it is still necessary for the City to submit a capital facility plan.

Mr. Bottles commended the Board on working on this together and taking the time to listen to the concerns of the City of Mount Vernon.

CONSENT AGENDA.

Commissioner Wolden made a motion to approve the Consent Agenda, with the exception of Item No. 3, which was previously approved. Commissioner Hart seconded the motion and it passed unanimously.

- **Commissioners Office:**

1. Record of the Proceedings of September 30, 1996.
2. Record of the Proceedings of October 1, 1996.
3. Record of the Proceedings of September 25, 1996.

October 7, 1996

4. Resolution Decreasing the Amount of the Revolving Fund in the Auditor's Office, decreasing this fund in the amount of \$1,600. (Resolution No. 16317).
 5. Personal Services Agreement with Nickel Construction for the term of October 3, 1996, until terminated, to provide a certified Septic System drawing for the Sanitary Dump Station at Howard Miller Steelhead Park. Compensation will be in the amount of \$450 plus tax to complete the drawing and secure the necessary permits. (Contract No. 03207).
- Human Services:
 6. Personal Services Agreement with Anacortes Community Health Council for the period of October 15, 1996, through December 31, 1996, to provide a training workshop entitled, "Prevention of Elderly Substance Abuse". Funding is through a Community Prevention Training Grant from the DSHS with the cost to the County not to exceed \$622. (Contract No. 03207).
 - Public Works:
 7. Cooperative Agreement with Washington State Parks and Recreation Commission to allow for plowing of snow at two locations on the Baker Lake Road, including the parking lot at Sentinels Trail and the roadway to the parking lot of USFS Road #12 at Rocky Creek. This agreement will terminate on April 30, 1997. (Contract No. 03208).
 8. Personal Services Agreement with CES, Inc. for the term of October 7, 1996, until terminated, to perform bridge inspections to be evaluated for susceptibility to scour action by performing routine underwater inspection and prepare the reports to serve as both the inspection for the 2 year Scour Evaluation and the 5 year structural underwater inspection. Compensation will be at a rate as outlined in Attachment 1 of the contract. (Contract No. 03209).
 9. Interlocal Agreement with Washington State Department of Fish and Wildlife & Skagit System Cooperative in regard to the Lake Cavanaugh Road Fish Passage project to provide for the design, construction, and construction supervision of a cooperative fish passage project which mainly consists of design and construction of fish passage. The County shall provide one-half (up to \$100,000) of all project costs with project costs estimated at a total of \$440,000. (Contract No. 03210).
 10. Personal Services Agreement with CAMCAL for the term of October 1, 1996, until terminated to provide repair of two fuel pumps at the Burlington shop and to calibrate seven other fuel pumps. Compensation will not exceed \$2,300. (Contract No. 03211).
 11. Skagit Valley Herald Annual Advertising Contract with Public Works for display advertising for the period of October 1, 1996, through September 30, 1997. (Contract No. 03212).

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, October 7, 1996, by a majority vote, did approve for payment those vouchers included in the above mentioned list and further described as follows:

Vouchers #MW161074-18 through MW161074-18 and Warrants #MW161074-18 through #MW161074-18 in the total amount of \$3,557.19. (Transmittal #C-45-96).

Vouchers #6106-001 through #6106-693 in the total amount of \$21,581.75 and Warrants #3130 through #3904. (Transmittal #C-46-96).

Vouchers #6007-362 through 6007-374, 6007-376 through 6007-387, 6010-578, 6010-596, 6010-621 through 6010-622, 6010-624 through 6010-625, 6010-628 through 6010-629, 6010-631 through 6010-634, 6010-637 through 6010-641, 6010-645 through 6010-655 in the total amount of \$2,202,295.43, Warrants #161075 through #162219. (Transmittal #C47-96).

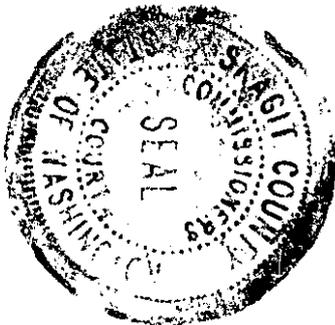
- 2. Resolution Appointing Dave Patterson to the Planning Commission for a four year term, effective October 4, 1996, through October 4, 2000. Commissioner Hart made a motion to approve the Resolution, as presented. Commissioner Wolden seconded the motion and it passed unanimously. (Resolution No. 16318).
- 3. Resolution Appointing Carol Ehlers to the Planning Commission for a four year term effective September 25, 1996, through September 25, 2000. Commissioner Hart made a motion to approve the Resolution, as presented. Commissioner Wolden seconded the motion and it passed unanimously. (Resolution No. 16319).

16332 file

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

Ted W. Anderson, Chairman

Harvey Wolden

Harvey Wolden, Commissioner

Robert Hart

Robert Hart, Commissioner

ATTEST.

Debby Sims

Debby Sims, Clerk
Board of Commissioners