

**RECORD OF THE PROCEEDINGS**  
**SKAGIT COUNTY BOARD OF COMMISSIONERS**  
**Tuesday, November 12, 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.
- 9:00 a.m. - 9:30 a.m. Permit & Planning Center - Roxanne Michael, Director.  
1) Introduction of New Staff Member.  
2) Consideration & Possible Action of Planning Commission Recommendation regarding Win Anderson project, Guernes Island.  
3) Consideration & Possible Action of Planning Commission Recommendation regarding Conway School project.  
4) Miscellaneous.
- 9:30 a.m. - 9:45 a.m. Discussion - Establishing a Mentor Program for New Supervisors.
- 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.  
1) Introduction of New Staff Member.  
2) Signature - Agreement regarding Railroad Highway Grade Crossing Closure - Green Road Grade Crossing, Burlington.  
3) Updates of Divisional Projects & Programs:  
    a) Surface Water Management Division.  
    b) Engineering Division.  
    c) Operations Division.  
    d) Solid Waste Division.  
4) Miscellaneous.
- T 11:00 a.m. - Noon. Public Hearing - Consideration of Adoption of Mount Vernon and LaConner School Districts Capital Facilities Plans.
- Noon - 1:00 p.m. Commissioner's Brown Bag Lunch with Employee's (Hearing Room B).
- 1:30 p.m. - 2:00 p.m. Public Hearing - Consideration of Application of Community Development Block Grant Funding for Community Action Agency.
- T 2:00 p.m. - 2:30 p.m. Parks & Recreation - Jon Aarstad, Director.  
1) Discussion - Northern State Recreation Area.  
2) Miscellaneous.
- T 2:30 p.m. - 3:00 p.m. Discussion - Deliberation & Possible Action regarding Conservation Futures Tax.
- 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 Tuesday, November 12, 1996, with Commissioner Ted W. Anderson, Harvey Wolden and Robert Hart present.

**PERMIT & PLANNING CENTER - Roxanne Michael, Director.**

1. Introduction of New Staff.

Roxanne Michael, Director, introduced Daniel Downs, the new Assistant Planner for Long Range Planning with the Permit & Planning Center.

2. Consideration & Possible Action of Planning Commission Recommendation regarding Win Anderson project, Guernes Island.

Kendra Smith, Planner, presented the above Rezone Request and the Planning Commission recorded motion and reviewed the changes. Commissioner Hart made a motion to approve the recorded motion regarding the Winston Anderson Rezone Request REZ 95-01 with the corrections as indicated by staff. Commissioner Wolden seconded the motion and it passed unanimously. Staff will provide a Resolution with the indicated corrections at a later date.

3. Consideration & Possible Action of Planning Commission Recommendation regarding Conway School project.

Kendra Smith, Planner, presented a recorded motion to the Board in regard to the Comprehensive Plan Amendment and Rezone Request for the Conway School. Commissioner Wolden asked that the amount of acreage be clearly stated and asked that this be changed. Commissioner Wolden made a motion to adopt the recommended motion by the Planning Commission for the Conway School Comprehensive Amendment PL96-0099 and Rezone Request PL96-0100 with the changes to be made as indicated above. Commissioner Hart seconded the motion and it passed unanimously. Staff will provide a Resolution at a later date in this regard.

DISCUSSION - ESTABLISHING A MENTOR PROGRAM FOR NEW SUPERVISORS.

Ric Boge, Training Administrator, reviewed the proposed Mentor Program for new supervisors, which transpired from the training needs assessment survey that was conducted several months ago of supervisors and department heads. A discussion ensued in regard to various suggested procedures to implement the program. Mr. Boge stated that this is a pilot program. Commissioner Hart made a motion to approve a Resolution in this regard. Commissioner Hart seconded the motion and it passed unanimously. **(Resolution No. 16349).**

PUBLIC COMMENT PERIOD.

There were no citizens present for Public Comment today.

PUBLIC WORKS DEPARTMENT - Jan Keiser, Director.

1. Introduction of New Staff Member.

Robin LaRue introduced Anne Marie Gutwain, as the new Administrative Assistant at Public Works.

2. Signature - Agreement regarding Railroad Highway Grade Crossing Closure - Green Road Grade Crossing, Burlington.

Ed Hawes reviewed and updated the Board on various railroad grade closures. Mr. Hawes stated that it has been determined that the Green Road Crossing will be closed. Mr. Hawes stated that Burlington Northern has agreed to pay \$6,190 for a portion of the costs involved in closing the crossing. Mr. Hawes stated that the remainder of the costs will be funded by the Department of Transportation. Mr. Hawes stated that Public Works recommends approval of the agreement in this regard. Commissioner Hart made a motion to approve the agreement, as presented. Commissioner Wolden seconded the motion and it passed unanimously. **(Contract No. 03250).**

3. Updates of Divisional Projects & Programs:

a) Surface Water Management Division.

Dave Brookings reported on the Skagit River Feasibility Study, the Drainage Utility Rate Structure, Community Rating System Training Seminar, and Muddy Creek project.

b) Engineering Division.

Mr. Hawes discussed the Reservation Road project and reminded the Board that they are welcome to attend an Open House in this regard. Mr. Hawes also reviewed the road improvement portion of the Muddy Creek project. The Board requested that Mr. Hawes make an attempt to schedule these Open Houses when the Board is available to attend.

c) Operations Division.

Cliff Butler reported on the Muddy Creek project and the various other activities of the Road Maintenance crews. Mr. Butler stated that the first snow slide of the season has also occurred in East Highway 20.

d) Solid Waste Division.

Robin LaRue discussed the minimum price at the scale house at the transfer station as it is now \$12, as established by a rate resolution approximately one year ago. Mr. LaRue reported that he is still receiving calls and letters from folks that would like to see this minimum fee changed to be based on actual weight. Mr. LaRue stated that after looking at past records, there is a very small percentage of people who would be in this category under the \$12 minimum and that he would

be glad to pursue the necessary documentation to make this change at the Boards direction. Commissioner Hart brought up the previous discussions on the issues of garbage and utility and tax raising to pick up the cost of the closure of the Inman Landfill and the incinerator bonds and have the actual tipping fees be what it costs to process the garbage and haul it out of the County. Commissioner Hart stated that he believed these discussions relate right back to what the minimum fee was going to be and suggested taking a closer look, getting some feedback and asked about an earlier study that Preston, Gates and Ellis completed in this regard. Commissioner Hart also asked where exactly we were on looking at alternatives of filling the pit and putting in a walking floor on the conveyor and maybe even the surplus of the rest of the equipment on the other side and opening the floor so that we could do some more recycling. Mr. LaRue reported that Liz Thomas from Preston, Gates & Ellis had completed the process Commissioner Hart was referring to and that he could obtain that information and schedule some work sessions if the Board would like to review that information, maybe even including Ms. Thomas in those sessions. Commissioner Hart stated that if we could reduce the tipping fee and some overhead and stabilize this a little, that we would reduce our illegal dumping. Commissioner Wolden discussed the upcoming request for proposals on the joint recycling program and Mr. LaRue reported that this is in process. Mr. LaRue stated that the requests for proposals have been received and that he is scheduled to meet with the Mayors to try to finalize which one of the companies would best do the work for them. Mr. LaRue anticipates that a contract could be completed by January of 1997. Commissioner Hart suggested that Mr. LaRue discuss with the Mayors the concept of the utility and explain that everyone in the County would be taxes on that basis to see if there was any interest on the Cities part. Mr. LaRue explained that this would require separate contracts with each of the Cities relating to a solid waste district. Commissioner Anderson suggested that another alternative would be to have a solid waste utility without any tipping fees, based on per capita through taxes and that this is a simple mechanism. Commissioner Anderson stated that money could be taken out every time that would go towards the debt on the Inman Landfill and then appropriate and distribute the money on per capita basis to the Cities and the County, then each of the Cities would then have the option of using the facilities the County uses, or they could haul their own garbage, whichever they preferred. Commissioner Wolden mentioned that there are places in the Country that operate this way and that it has promoted recycling and decreased illegal dumping. Commissioner Wolden expressed concern of the fragmentation between the County and the Cities and expressed his non-concurrence with the Joint Recycling Program. Commissioner Wolden stated that he would like to see some further discussion and find a resolution before getting tied up in another five year contract. Jan Keiser stated that if the Board was serious about these suggestions, then Public Works would do some further research and get some facts and figures together and then the Board could make a proposal. Commissioner Wolden stated that if nothing else and if we do go to the Joint Recycling Program, that he would like to see that whoever gets the contract put \$80 per ton back into the County so that we could decrease the tipping fee.

In response to Mr. LaRue's much earlier question, Commissioner Anderson stated that if weighing does not create any additional work, then remove the \$12 minimum fee. The Board concurred and stated that a rate of a certain amount per pound would be sufficient.

Mr. LaRue stated that they would work with Ms. Thomas and get some financial advice before going to the Cities with this discussion. The Board stated that in this regard, streamlining the facility, at the least, is what they prefer. Mr. LaRue reminded the Board that there was an earlier study regarding how to improve the operation and there was also an earlier decision to mothball and try to maintain it as best as possible. Commissioner Anderson and Wolden stated that this decision was based on leveraging long haul rates. They asked to inquire if it would be feasible to start this up again and how much it would cost. The equipment was discussed and Mr. LaRue stated that most equipment is only at minimum value or scrap value. The Board discussed their disgust with previous maintenance at the facility.

Ms. Keiser asked for clarification and stated if the Board would like Public Works to explore the legal and financial assistance in exploring the options. The Board directed Ms. Keiser to proceed, stating that they were aware this would involve going through a process to find out if we should go to a utility to remove the tipping fee. Ms. Keiser reminded the Board that this might have an additional cost and Mr. LaRue thought that maybe this could be picked up under a previous contract. The Board suggested looking at rates County-Wide, tonnage figures, and what is being long hauled.

Commissioner Anderson commented on figuring this per capita and Ms Keiser asked if they were looking a property tax type issue or a different type of vehicle. There was a brief discussion on monthly bills for services and it was determined that if this was based on per capita basis, it might be able to be spread out a bit. Mr. LaRue discussed the capital improvements schedule for the 1997 budget relating to the tipping fees and reported that the plan was to go forward with the actual plans and specifications for the changes, installing the conveyor system and filling in the pit and then to also include minor modifications to the entrance and that was estimated at \$350,000 - \$400,000. Mr. LaRue stated that there was only \$200,000 in the 1997 budget for capital improvements and part of that was going to go to some updating to the area upstairs. Commissioner Anderson inquired about the estimate of \$250,000 to fill in the pit and install the conveyor. A discussion ensued in this regard. Commissioner Hart stated that the road crew could easily fill in the pit and Commissioner Anderson suggested looking at hydraulic shaker conveyors as there were no moving parts, solid floors and one to look at was in Spokane.

4. Miscellaneous.

Dave Sheridan discussed the road right-of-way situation issue and asked the Board for concurrence in sending the property owner a letter indicating the correct procedure in this regard. The Board concurred.

CONSENT AGENDA.

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

• Commissioners Office:

1. Record of the Proceedings of November 4, 1996.
2. Record of the Proceedings of November 5, 1996.
3. Resolution Appointing Joan Lubbe as a Member to the Substance Abuse Advisory Board. The term of the appointment will be from November 30, 1996, through November 29, 1999. (Resolution No. 16350).
4. Resolution Appointing Reverend Fitzroy Richards to the Substance Abuse Advisory Board. The term of the appointment will be from November 12, 1996, through November 11, 1999. (Resolution No. 16351).
5. Resolution Appointing Joan Lubbe as a Member to the Mental Health Advisory Board. The term of the appointment will be from September 30, 1996, through October 1, 1999. (Resolution No. 16352).
6. Resolution Appointing Gayle Goldblatt, MSW, to serve as a Designated Mental Health Professional effective November 11, 1996. (Resolution No. 16353).

• Emergency Management Services:

7. Personal Services Agreement with Tom Theisen, Architect, who will assist the County with preparation of the Washington State Enhanced 911 grant application to receive sufficient Washington State Enhanced 911 Grant Funds. (Contract No. 03251).

• Parks:

8. Interlocal Agreement with City of Mount Vernon for construction of a Skateboard Park in order to provide a skateboard facility. The City will construct and maintain the facility for use of residents throughout the County. The County has agreed to provide \$20,000 in consideration of the construction of the facility. (Contract No. 03252).
9. Two Quit Claim Deeds with Myron M. and Linda V. Cheek, in the amount of \$616 and \$1,904, respectively, in regard to Centennial Trail property. (Deeds No. 00427 & No. 00428).
10. Resolution awarding bid to Washington Fence Center for the Chain Link Fencing Material at the Cook Road Playfield. (Resolution No. 16354).

• Planning:

11. Resolution Remanding Special Use Request #PL-96-0022 of AT & T Wireless Services to Skagit County Hearing Examiner for further consideration. (Resolution No. 16355).
12. Resolution Upholding Hearing Examiner's Decision to Deny Variance #PL-960301 of Washington State Department of Transportation regarding the construction of a domed building to cover an existing sand pile. (Resolution No. 16356).
13. Addendum #3 to Consultant Services Agreement with Wheeler Environmental, Inc. to expand the scope of the study area for the alternative site - Frailey Mountain. This will include the additional costs relating to the preparation of an draft supplemental impact statement to include additional study area in the amount of \$4,760. The agreement will also be extended to December 31, 1996. (Contract No. 02719).

• Health:

14. Call for Public Hearing in regard to Updating the Skagit County Health Department Schedule of Charges Applicable to the Water Laboratory, Environmental Health, Nursing, Clinical Laboratory and Vital Records. **(Resolution No. 16357).**
15. Guest Speaker Contract with Jane Shelley to provide a presentation on the Personal Perspectives on HIV/AIDS during 1996. Compensation will be in the amount of \$25. **(Contract No. 03253).**
16. Guest Speaker Contract with Penelope B. Brewer to provide a presentation on Tobacco Cessation, during 1996. Compensation will be in the amount of \$200. **(Contract No. 03254).**
17. Amendment No. 5 to the Consolidated Contract with Washington State Department of Health. This will provide for \$30,840 for installation of the INPHO project. **(Contract No. 02892).**
18. Personal Services Agreement with Mount Vernon School District No. 320, through the Mount Vernon High School Art Department for the period of September 10, 1996, until terminated, to develop, design and produce three one minute television ready public service announcements addressing the issue of youth tobacco use. Financial support will not exceed \$4,000. **(Contract No. 03255).**

• Public Works:

19. Flood Control Assistance Account Program Emergency Grant with the Department of Ecology in regard to the Skagit Wildlife Area Alternative Project and to also provide general flood education. **(Contract No. 03256).**
20. Supplemental Agreement No. 1 to Personal Services Agreement with O'Brien-Kreitzberg, Inc. in regard to the Emergency Need for Geotechnical Review of Muddy Creek Area. This supplement will increase the compensation by \$6,000 for a revised contract total of \$30,000. **(Contract No. 03174).**

**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, November 12, 1996, by a majority vote, did approve for payment those vouchers included in the above mentioned list and further described as follows:

Vouchers #160017 through #160017 and Warrants #82418 through #82419 in the total amount of \$1647.42. **(Transmittal No. P-23-96).**

2. Staff presented a Resolution for the Appointment of District Court Judge. Commissioner Hart read into the record that a vacancy will exist on January 13, 1997, as the Honorable John Meyer has resigned in order to fill the position of Superior Court judge. Commissioner Hart continued that ten qualified applicants were interviewed and that Stephen R. Skelton has been selected effective January 13, 1997. Commissioner Hart made motion to approve the Resolution, as presented. Commissioner Wolden seconded the motion and it passed unanimously. **(Resolution No. 16358).**

**PUBLIC HEARING - CONSIDERATION OF ADOPTION OF MOUNT VERNON AND LACONNER SCHOOL DISTRICTS FACILITIES PLANS.**

Chairman Anderson opened the Public Hearing.

Dave Hough representing the County Planning & Permit Center presented requests of the Mount Vernon and LaConner School Districts Capital Facilities Plans. Mr. Hough reported that the plans have been reviewed as they relate to the Growth Management Act, the County-Wide Planning Policy, and the draft Comprehensive Plan and reported that the Capital Facilities Plans are consistent with these items. Mr. Hough discussed the formulas used in regard to impact fees and reported that Conway, Burlington, Sedro Woolley, and Mount Vernon capital facilities plans have been adopted. Mr. Hough clarified that the Mount Vernon plan being submitted currently is a plan update. It was also mentioned that this is the first time LaConner is developing the capital facility plan. Mr. Hough announced that impact fees for Mount Vernon are

proposed at \$2,912 for Single Family Dwellings and \$2,397 for Multi-Family Dwellings.

LaConners proposed impact fees are in the amount of \$656 for Single Family Dwellings and \$640 for Multi-Family Dwellings. Mr. Hough reiterated that that the impact fees would not be collected until the Comprehensive Plan is approved. It was clarified that both of the plans submitted have gone through the public hearing process as required.

Tim Bruce, Superintendent, LaConner School District asked the Board to adopt the Capital Facilities Plan as presented. Mr. Bruce also mentioned that Jill Reinma, Preston, Gates & Ellis, who assisted in developing the plan, was in attendance if the Board had any questions.

Edward Peters, Director of Facilities, Mount Vernon School District asked the Board to approve the update of the Capital Facilities Plan, and further clarified that this is an update of the plan adopted last October.

There being no further 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 LaConner School District No. 311 Capital Facilities plan, as presented, and the Mount Vernon School District No. 320 Capital Facilities plan, as presented. Commissioner Wolden seconded the motion and it passed unanimously.

**PUBLIC HEARING - CONSIDERATION OF APPLICATION OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING FOR COMMUNITY ACTION AGENCY.**

Chairman Anderson opened the Public Hearing.

Bill Shuler and Karen Parnell, Community Action, discussed the block grant and thanked the Board for their support in this regard. Ms. Parnell discussed the scope of work involved in this grant.

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 application for the Community Development Block Grant. Commissioner Wolden seconded the motion and it passed unanimously.

Commissioner Hart made a motion to approve the Service Agreement with Skagit Community Action Agency, in regard to the CDBG Funds. Commissioner Wolden seconded the motion and it passed unanimously. **(Contract No. 03257).**

**PARKS & RECREATION - Jon Aarstad, Director.**

1. Discussion - Northern State Recreation Area.

Jon Aarstad discussed the demolition and abatement plan for the County buildings at the Northern State Recreation Area, stating that due to unavailability of one of the buildings, normal abatement procedures are not permissible and that demolition will be conducted simultaneously with abatement. Mr. Aarstad reported that he has reviewed this with the Prosecuting Attorney and the Budget/Finance Director, and that after review it appears that the R.C.W. allows the County to hire Correctional Institution Inmates for this project, without going to the bid process. Mr. Aarstad reported that they have received a proposal from the State in this regard and it would be very cost effective to proceed. A brief discussion ensued in regard to the costs of demolition and abatement. The Board concurred that this is a good opportunity for inmates to learn the trade and move ahead and at the same time the work would be performed at a decreased cost to the taxpayer.

2. Miscellaneous.

Mr. Aarstad also updated the Board on the Skagit River Railroad project and the Resource Management Program.

**DISCUSSION - DELIBERATION & POSSIBLE ACTION REGARDING CONSERVATION FUTURES TAX.**

Tom Karsh, Assistant Planning Director, presented a draft Ordinance, which if approved, would establish a conservation futures tax within the County. Mr. Karsh stated that the purpose of today's meeting is to get some direction from the Board. Mr. Karsh reviewed the background, stating that in May of this year, a telephone survey was implemented in order to gather

public opinion in regard to the conservation futures tax. Mr. Karsh mentioned that after the survey was made public, the Board held a Public Hearing to hear whether there was public interest in passing a levy in this regard. Mr. Karsh stated that the Public Hearing was successful with strong opinions voiced representing both sides of the issue. Mr. Karsh stated that state law has allowed Counties to pass a tax levy for conservation futures and Skagit County is the only County that hasn't

opted into this program at this point in time. Mr. Karsh stated the ordinance would establish an Advisory Board to make recommendations, the Board being comprised of two members at large from the public, two members from the Skagit Land Trust, one from Skagit Conservation and two from Skagitonians to Preserve Farmland. Commissioner Anderson expressed his concern that the Advisory Board members did not appear to be a good representation of the whole county. A discussion ensued in regard to the composition of the Advisory Board and the Board suggested some changes to the composition of the voting members. Mr. Karsh stated they could bring back a modified Ordinance in this regard.

Commissioner Anderson stated that he is in definite support of preserving ag land, but that he is not certain that this is what this Ordinance is about. Commissioner Anderson expounded that at the last Public Hearing it appeared that people did not want additional taxes.

A discussion ensued in regard to the conservation futures program being purely volunteer and Commissioner Hart asked if this was addressed in the Ordinance.

Commissioner Hart made a motion to Call for Public Hearing on Monday, November 25, 1996, in Hearing Rooms B & C at the hour of 4:00 p.m. - 7:00 p.m. (Resolution No. 16359).

**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

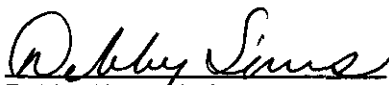
  
Ted W. Anderson, Chairman

  
Harvey Wolde, Commissioner

  
Robert Hart, Commissioner



ATTEST.

  
Debby Sims, Clerk  
Skagit County Board of Commissioners