

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
Tuesday, January 14, 1997**

- 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. - 10:00 a.m. Public Works Department - Jan Keiser, Director.
1) Notification of 18th Annual Nookachamps Winter Run Special Roadway Event.
2) Signature - Federal Aid Project Prospectus - Cook Road Reconstruction.
3) Signature - Local Agency Agreement - Cook Road Reconstruction.
4) Signature - Standard Consultant Agreement - Cook Road Traffic Study.
5) Divisional Updates:
 a) Surface Water Management Division.
 b) Engineering Division.
 c) Solid Waste Division.
 d) Operations Division.
6) Miscellaneous.
- 10:00 a.m. - 10:30 a.m. Board of Health.
1) Deliberation and Possible Adoption or Modification and Adoption of the Skagit County On-Site Sewage Code.
- 10:30 a.m. - 11:00 a.m. Planning & Permit Center - Roxanne Michael, Director.
1) Update of the Planning Commission's Deliberation on the Draft Comprehensive Plan.
2) Miscellaneous.

The Skagit County Board of Commissioners met in regular session on Tuesday, January 14, 1997, with Commissioners Robert Hart and Ted W. Anderson present. Commissioner Harvey Wolden's absence was excused.

PUBLIC WORKS DEPARTMENT - Jan Keiser, Director.

1. Notification of 18th Annual Nookachamps Winter Run Special Roadway Event.

Dave Sheridan, Engineering Division Manager, discussed the upcoming above referenced event that is scheduled for Saturday, January 18, 1997, at 10:00 a.m. Mr. Sheridan stated that the event will take place on Francis Road, Front Street (Clear Lake), Mud Lake Road and Swan Road.

Mr. Sheridan reported that there will be temporary closures on these roads and that a news release has been distributed.

2. Signature - Federal Aid Project Prospectus - Cook Road Reconstruction.

Ed Hawes, Engineering Division, discussed the Cook Road reconstruction project. Mr. Hawes reviewed the goals of the department, focusing on scope, schedule and budget. Mr. Hawes also reviewed the anticipated process of this project utilizing the "team" that has been established and discussed how the scope will be attained. Mr. Hawes emphasized that this will be a high profile project and that when the technical report is presented, it will be the "starting" point of the comment period. Mr. Hawes proceeded to discuss the federal aid prospectus, reminding the Board that the prospectus can be amended if justification is possible to initiate the change in scope. Rough estimation is at this time, for right-of-way and engineering costs to be \$724,000 for this project. They are scheduling the preliminary engineering to begin immediately after the Boards approval.

Commissioner Anderson made a motion to approve the Federal Aid Prospectus as presented. Commissioner Hart seconded the motion, noting that this should state from Old Highway 99 N to the Sedro Woolley city limits and it passed unanimously. **(Contract No. 03346).**

3. Signature - Local Agency Agreement - Cook Road Reconstruction.

Mr. Hawes also presented the local agency agreement in regard to the Cook Road project. Commissioner Anderson made a motion to approve the Agreement, as presented. Commissioner Hart seconded the motion with the same notation as above and it passed unanimously.

Mr. Hawes discussed the schedule and budget portions of this project, emphasizing that the department will inform the Board of any changes. (Contract No. 03347).

4. Signature - Standard Consultant Agreement - Cook Road Traffic Study.

Dave Baltz presented the standard consultant agreement for the Cook Road traffic study which will be completed by Gibson Traffic Consultants with (Skagit Council of Governments) SCOG to do a small amount of work for the study as a subconsultant. Mr. Baltz reviewed the scope of the agreement. This study will include the entire portion of the corridor and the portion of the road within the Sedro Woolley city limits costs will be reimbursed.

Commissioner Anderson made a motion to approve the consultant agreement in the amount of \$21,250. Commissioner Hart seconded the motion and it passed unanimously. (Contract No. 0348).

5. Divisional Updates:

a) Surface Water Management Division.

Dave Brookings presented an update to the Board, stating that they have been inundated with drainage complaints due to the rapid snow melt after the recent winter storm. Mr. Brookings asked for the Board's patience in the department staff response time to these inquiries, as there are many complaints to address. Mr. Brookings discussed the Fruitdale Road drainage problem in Sedro Woolley which he mentioned would be discussed further in Executive Session due to potential litigation. Mr. Brookings is also working on the drainage utility rate structure with the assessors office. Mr. Brookings also reported on various other projects he is currently working on. Mr. Brookings discussed the detention pond standards and reported that they may be altering these standards after looking at studies completed by King County.

b) Engineering Division.

Mr. Sheridan reported on the Cascade River Road project and the South Shore Drive project which sustained snow melt and storm damage. The National Association of County Engineers will be holding their annual conference in Alabama soon which Mr. Sheridan will be attending.

c) Solid Waste Division.

Robin LaRue mentioned that the preliminary numbers for 1996 are in and that there was tonnage of 65,340 shipped in 1996, down approximately 1,000 tons from last year, probably due to recycling activities. Mr. LaRue thanked the Board for their support of recycling bins. Mr. LaRue also reported on the curbside program. Mr. LaRue stated that snow storm event assessment is in the area of \$271,000 which has been reported to Emergency Management.

d) Operations Division.

Cliff Butler, Road Superintendent, stated that the road crews will be working to repair the remaining storm damage to the roads. Mr. Butler stated that this will comprise most of the road crews time and energy along with regular maintenance.

6. Miscellaneous.

Jan Keiser stated that she would be in Olympia for the CRAB Board meeting on Thursday and Friday. Ms. Keiser also reported that Mr. Tewalt went to Pierce County to look at the Ferry operation and was impressed with the operation and obtained some good information.

Commissioner Hart briefly discussed the proposed common use facility of the Burlington Maintenance Shop and the SKAT facility.

BOARD OF HEALTH.

1. **Deliberation and Possible Adoption of Modification and Adoption of the Skagit County On-Site Sewage Code.**

Tom Karsh, Planning & Permit Center, presented the above, stating that they would like to complete the discussion this morning and then will return to the Board after changes have been made at the direction of the Board for further review and possible adoption in the final draft form. Mr. Karsh stated that there were relatively few comments during the public comment period, proceeding to review the five comments received.

Comment number 1, in regard to the application of Class 1-A soils was discussed and Mr. Karsh explained that installation of conventional systems in Eastern Washington is allowed, but not here, due to state law. Changing this would involve changing state law. Commissioner Hart inquired as to the possibility of presenting a change to the state. After a brief discussion, Mr. Karsh mentioned that an individual could attempt to receive a waiver of the regulations, however, the department does not recommend changing this on the County's behalf to be contrary to state law.

In Comment number 2, in regard to the term "department", the County is proposing to amend the code to better reflect the state Department of Health regulations.

In Comment number 3, in regard to why an owner cannot install systems, Mr. Karsh stated that the state requires that a "resident owner" may only install an OSS for that single residence when the OSS is either located on the same lot as the residence or situated on adjoining property controlled by the owner and legally listed as an encumbrance. Mr. Karsh stated that staff believes that it would be more beneficial to adopt the code as drafted and then request that the state reconsider this provision to allow for "owner" installed systems. Commissioner Anderson discussed this issue and how this appears to limit who installs the systems to certified installers in that business. Mr. Karsh reported that there is a mediation process available if we wish to change items that would not be in regulation with state requirements. Commissioner Hart discussed his personal experience with installation of systems in this regard. George Ridgeway, Health, referred to state law in this regard, deciphering the code to mean that installation of anything more sophisticated than a conventional system, would require someone who has passed an installers exam to install the system. A discussion ensued in this regard. The recommendation of the department is to move forward with the wording as it is, and then to possibly have the state reconsider this at a separate time. Commissioner Anderson stated his position is that he does not like to exceed state law, but that if we adopt it, it would be with the understanding that we will allow, if specifications are met, for homeowners to install a system. Commissioner Anderson expounded on the fact that this seems to be giving all the installation work to the installers, eliminating the homeowners. Mr. Karsh stated this item was contentious at the state level also.

In Comment number 4, in regard to penalties to those who violate the sewage code, Mr. Karsh reported that this has been discussed with counsel and that this will be made clear that this is a progressive penalty and that a gross misdemeanor would be the last step in the legal process.

In Comment number 5, Mr. Karsh discussed levels of contamination as standards. Mr. Karsh mentioned that "treated effluent" is effluent once it has been through an approved "subsurface" sewage treatment and disposal process.

Mr. Karsh discussed how this would determine whether there was a failure in the system. Mr. Karsh brought forward several other comments, one being that repair loans section in the proposed code should be changed to match the terms used in a recent Edison sewage code. Mr. Karsh also reported that the graphics would be improved and that headings will be added to the final draft.

PLANNING & PERMIT CENTER - Roxanne Michael, Director.

1. **Update of the Planning Commission's Deliberation of the Draft Comprehensive Plan.**

Gary Christenson, Planning, presented an update on the comprehensive plan process. They have received approximately 1,400 pages of comments. Mr. Christenson stated they have also received letters from five state agencies. Based on those comments, a memorandum has been provided to the Board summarizing the major comments on the draft comprehensive plan. Mr. Christenson brought to the attention of the board that about 200 comments requested some kind of property redesignation. In addition, the review of the comments identified very specific text or changes to the plan. The Planning Commission will be reviewing certain components of the plan and referring to these specific comments. Mr. Christenson discussed some of the highlights of the comments received.

Mr. Christenson reviewed the five main issues as 1)the review with the Planning Commission to compare and contrast with the draft plan, 2) Natural Resource Land issues, 3) Commercial and Industrial uses, 4)Miscellaneous issues, and 5)UGA's, Rural Areas, Land Capacity and Downzoning.

Mr. Christenson reviewed the schedule, indicating that they will be meeting with the Planning Commission twice a week during January and February. They will also be possibly creating a calendar which will place Planning Commission meetings on the schedule along with the agenda to help inform everyone of the events taking place.

Commissioner Hart asked about CTED's comments in regard to UGA's and whether the County should provide additional documentation or if the Cities should provide this. Mr. Christenson stated that basically, what we need to do is be sure this is completed by the Cities and Towns as partners in this process.

ADJOURNMENT.

Commissioner Robert Hart made a motion to adjourn the proceedings. Commissioner Ted W. Anderson seconded the motion and it passed unanimously.

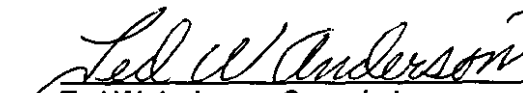
BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON



Harvey Wolden, Chairman




Robert Hart, Commissioner



Ted W. Anderson, Commissioner

ATTEST.



Debby Sims, Clerk of the Board
Skagit County Commissioners