

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS**

Tuesday, January 28, 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.
- T 9:00 a.m. - 10:00 a.m. Public Works Department - Jan Keiser, Director.
1) Discussion - Request for Additional Staff Support - Accounting.
2) Discussion - Small Consultant Contract for GMA Transportation.
3) Signature - Resolution Authorizing Substitution of 1996 Flood Control Grant Funds.
4) Divisional Updates:
a) Surface Water Management Division.
b) Engineering Division.
c) Solid Waste Division.
d) Operations Division.
5) Miscellaneous.
- T 10:00 a.m. - 10:30 a.m. Board of Health.
1) Continuation of Deliberation and Possible Adoption or Modification and Adoption of the Skagit County On-Site Sewage Code.
- T 10:30 a.m. - 10:45 a.m. Planning & Permit Center - Roxanne Michael, Director.
1) Update of the Planning Commission's Deliberation of the Draft Comprehensive Plan.
- CONSENT AGENDA.
- MISCELLANEOUS.
- 11:00 a.m. - Noon. Executive Session - Personnel, Litigation and Land Acquisition.
- Noon - 1:00 p.m. Commissioner's Brown Bag Lunch with Employees (Hearing Room B).

The Skagit County Board of Commissioners met in regular session on Tuesday, January 28, 1997, with Commissioners Harvey Wolden and Robert Hart present. Commissioner Ted E. Anderson's absence was excused.

PUBLIC WORKS DEPARTMENT - Jan Keiser, Director.

1. Discussion - Request for Additional Staff Support - Accounting.

Robin LaRue, Assistant Public Works Director, requested the approval from the Board to hire a temporary employee to fill in for a maternity leave circumstance as well as assist in the conversion process involving the financial software. Funds are included in the budget for this temporary six month position. Mr. LaRue stated that they would use an individual who was already acquainted with the Public Works Department. Commissioner Hart made a motion to approve the request for a temporary six month additional person for the Public Works Department as outlined by Mr. LaRue. Commissioner Wolden seconded the motion and it passed unanimously.

2. Discussion - Small Consultant Contract for GMA Transportation.

Dave Baltz, Transportation Planner, discussed the need for a transportation consultant in regard to compliance with the GMA. Mr. Baltz stated that this is necessary to complete some unresolved issues and mentioned that they would like to bring back the consultant who helped the Department develop the County's LOS methodology. Mr. Baltz stated that it has become necessary to respond to various comments and prepare recommendations for the Planning Commission, all of which the consultant would be able to address. More importantly, Mr. Baltz stated, they would like this consultant (Birdsall and Associates) to represent the Public Works Department at the Planning Commission and Board of Commissioner meetings in this regard. Mr. Baltz stated that if the Board concurs, the Personal Services Agreement would be provided on a later date.

The Board briefly discussed this request and Commissioner Hart mentioned that since the contract amount is small and that this consultant would finish up unresolved transportation issues, he would concur with hiring a technical expert as requested.

Due to the range of anticipated costs of the consultant being from \$2,200 to \$4,400, the Board voiced approval of the request. Mr. Baltz emphasized that it is critical to deal with these issues to avoid non-compliance with the Growth Hearings Board and that just a few hours with Mr. Birdsall would be very productive. Commissioner Hart made a motion to approve a consultant contract with Birdsall and Associates. Commissioner Wolden seconded the motion and it passed unanimously.

3. Signature - Resolution Authorizing Substitution of 1996 Flood Control Grant Funds.

Dave Brookings, Surface Water Management, presented a Resolution as referenced above. Mr. Brookings stated that District #3 was awarded \$30,000 for levee repair work as part of the 1997 Flood Control Grant Program and that due to poor weather this project was not completed. Mr. Brookings stated that Dike District #3 has requested that these grant funds be used for a secondary project that was completed near Milltown. Mr. Brookings stated that the Public Works Department has reviewed the situation and recommends this authorization. Commissioner Wolden noted that the Resolution presented should be changed to indicate that the repair will be on the "South" Fork Bridge, not the "North" Fork Bridge, as stated in the Resolution. The Board mentioned that since this is on the same levee system, they would concur with this recommendation for substitution of grant funds. Commissioner Hart made a motion to approve the request, mentioning that the Resolution will be changed to correctly reflect the repair being made on the "South" Fork Bridge. Commissioner Wolden seconded the motion and it passed unanimously. (Resolution No. 16437).

4. Divisional Update:

Surface Water Management Division.

Dave Brookings briefed the Board on various projects, stating that they are working very hard on preparing the FCAAP application for \$500,000 and developing support of the grant application. Mr. Brookings also reported on the recent meeting with the Army Corps of Engineers. A discussion ensued in regard to computer technology used in surface water management in regard to dikes. Commissioner's Hart and Wolden emphasized the need to have this technology available. Mr. Brookings mentioned that one of the big projects coming up is the South Burrows Bay project and reported that they are currently moving forward with the permit process. Mr. Brookings also reported briefly on the Allen West Road, Avon Allen Road, Samish Island Road, Thomas Road, and Britt Slough projects. Mr. Brookings updated the Board on the Community Rating System progress. The last issues discussed were the vacancies on the Drainage Utility and Flood Control committees and Mr. Brookings stated both of these committees have scheduled meetings this week. In regard to the Drainage Utility committee, Commissioner Wolden stated he would like better representation of the County and Mr. Brookings stated he would bring this up at the meeting.

Engineering Division.

Ed Hawes reported on the activities of the Engineering Division, updated the Board on a project that is currently under design, reviewing the implementation of the scope of the project. Mr. Hawes stated that the Reservation Road project has been reviewed with the transportation planner and has also been presented to the citizens of the area. Mr. Hawes stated that they then proceeded to look for funding for this project and after grant funding was secured, the concept of the road was presented to the public. Mr. Hawes reported that this project will proceed this summer and discussed the process in developing the budget for projects such as this one. Mr. Hawes presented a report that was generated by a consultant in regard to the implementation of the county road project in regard to the critical areas ordinance. Mr. Hawes mentioned that Public Works will continue to be very involved in constructing roads that are sensitive to critical areas and also cost effective. Mr. Hawes mentioned that 19 parcels will be effected on the Reservation Road project and reviewed the estimated time involved in this project, which was determined by computer scheduling software.

Ryan LaPossa, Public Works, summarized a recent report that was prepared by the Department on the project, which was provided to the Board, stating that drainage issues were the most crucial and have been addressed. Mr. LaPossa stated that most questions can probably be answered in the report.

Solid Waste Division.

Mr. LaRue discussed the recent requests from the public for the County to provide additional service or reduction of fees in regard to the disposal of recent storm damage refuse. Commissioner Wolden stated that if this service was provided, the procedure would have to be very strictly outlined in order to prevent the public from taking advantage of the service by including refuse other than what was produced by the storm.

Mr. LaRue also reported that there will be a booth at the Eagle Festival at Rockport in regard to composting and recycling, which will be manned by Public Works staff person, Frances Ambrose. Mr. LaRue also mentioned that a Master Composter class will be held in the near future and announced that anyone interested can contract Ms. Ambrose for more information.

Operations Division.

Cliff Butler, County Road Superintendent, reported on the various activities of the road crews. Commissioner Wolden commended the road crews on the excellent service they provided to the County during the recent inclement weather and asked Mr. Butler to pass this compliment on to the road crews. Commissioner Hart also extended his appreciation of the road crews for their outstanding service.

5. Miscellaneous.

1.

Mr. LaRue presented a letter from a Skagit County citizen which thanked the road crews for their quick response in plowing during the recent snows. Mr. LaRue also read a letter recently received commending Ryan LaPossa on his commitment of service in addressing drainage problems.

BOARD OF HEALTH.

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

Tom Karsh, Assistant Planning Director, discussed the On-Site Sewage Code, mentioning the State and Local standards and compliance issues. Mr. Karsh mentioned that the proposed document is 60+ pages of County code which is very close to the State minimum standards. Mr. Karsh stated that this will entirely replace the current County code dealing with on-site sewage. Mr. Karsh reviewed the major changes, mentioning that these changes have come forth from an advisory committee which has reviewed the entire code. A lengthy discussion ensued in regard to determining limits of bacteria and the failure of systems. Mr. Karsh also reviewed the increased maintenance of systems that is now required by the State and continued with a discussion of the penalties involved in violation of code. Mr. Karsh pointed out that the code now incorporates the availability of loans from the County at low interest, to assist those who have failing systems to comply without penalties being assessed. Mr. Karsh also reviewed the certification process involved in assuring that educated installers are installing the systems. Mr. Karsh mentioned the concerns raised previously by Commissioner Anderson in regard to the new code limiting installation of systems by property owners and Mr. Karsh stated that this is actually determined at the State level. Mr. Karsh pointed out, however, that there is a provision in the State law that a County health officer or delegated individual could be involved in doing site evaluations and designs. Mr. Karsh reiterated that this is a new chapter (12.05) of the County code, replacing Chapter 12.04. Commissioner Wolden stated that he and Commissioner Anderson still have concerns over the limitations of property owners installing their own systems. Commissioner Wolden expressed his desire to have a monitoring process and a discussion ensued in regard to what this process would involve and a method to determine how old systems are functioning. Commissioner Hart made a motion to adopt the New On-Site Sewage Code, SCC 12.05, Consistent With March 1994 Amendments to WAC 246-272, and Repealing SCC 12.04. Commissioner Wolden seconded the motion and it passed unanimously. (Ordinance No. 16438).

A discussion ensued in regard to failing sewer systems in the County and the impact the Growth Hearings Board order of invalidity has on this issue. Commissioner Wolden stated the ridiculous nature of withholding these funds until the Growth Management issues are completed.

PLANNING & PERMIT CENTER - Roxanne Michael, Director.

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

Roxanne Michael announced that the Planning Commission is on schedule and that possible adoption of the Comprehensive Plan could be in April. Gary Christenson, Senior Planner, presented an update to the Board on the Planning Commission's progress on deliberation of the draft Comprehensive Plan, reiterating that the Planning Commission is on schedule. Mr. Christenson reviewed that staff will be preparing memorandums and staff reports for review by the Board throughout the process. At this time it appears there will be no changes to Natural Resource Lands criteria - no additional or removed agriculture or forest designated lands unless there has been a technical mapping error. The Commission has also concluded that there will be no changes to Industrial Forest lands. A new section will address commercial and industrial issues. In regard to Miscellaneous issues, there are items addressed such as public notice process, and the Board will be asked to consider in the future that when a Public Notice is mailed, that all individual land owners be notified by mailing a notice. The Board stated that a figure must be determined before this can be decided whether it is a feasible method to notify the landowners. Commissioner Hart stated that it is very important to try to notify the citizens, but it comes down to a matter of cost. Commissioner Wolden suggested looking into publicizing this information by cable television, which is very cost effective. Mr. Christenson stated that they would look into this suggestion and various other methods of getting this information to the land owners and ascertain what the costs would be. Mr. Christenson stated that all legal requirements have been met as far as notification, however, they would like to expend a little more effort in providing the public with as much information as possible. Mr. Christenson briefly discussed the need for the Cities and Towns to provide pertinent information in order for the comp plan to be completed.

CONSENT AGENDA.

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

• **Commissioners Office:**

1. Record of the Proceedings of January 21, 1997.
2. Application for Dance License for Skagit Valley Grange No. 620 to conduct Public dances beginning February 1, 1997, and ending January 31, 1998, at 2026 F & S Grade Road. **(No. 529).**
3. Application for Dance License for Pleasant View Inn Tavern to conduct Public dances beginning February 1, 1997, through January 31, 1998, at 3593 Cape Horn Road, Concrete. **(No. 530).**

• **Public Works:**

4. Personal Services Agreement with William J. Weaver to update Skagit County's slide presentation on the Skagit River to include the 1990 and 1995 flooding events. The project is currently being funded through FCAAP grant funding from the Washington State Department of Ecology. The term of the contract is from February 1, 1997, through June 1, 1997. Compensation will not exceed \$1,600. **(Contract No. 03360).**
5. Resolution approving Interlocal Cooperative Agreement with Town of Lyman and Interlocal Agreement with Town of Lyman for the period of January 28, 1997, through January 28, 2001, for reimbursable services. **(Resolution No. 16439 & Contract No. 03361).**
6. Resolution Calling for Public Hearing in regard to Consideration of a Speed Limit Revision on a Portion of Reservation Road from Mile Post 5.50 to Mile Post 5.85 from 35 miles per hour to 25 miles per hour. **(Resolution No. 16440).**
7. Final Cost Records regarding McLean Road Asphalt Overlays, et al, CRP 4400-4. **(Contract No. 03006).**
8. Final Cost Records regarding Francis Road, CRP 7900-3. **(Contract No. 03167).**
9. Final Cost Records regarding Bayview Edison Road CRP 3121-4. **(Contract No. 02564).**

• Planning:

10. Out-Of-State Travel Requests for Alan Jongsma and Bill Dowe to attend the Colorado Educational Institute in Denver, Colorado, to learn legal aspects of code administration, general administration, work group motivation, and to attend further classes towards taking plans examination certification form March 3, through March 7, 1997. The total cost will be \$1916. (Approved).

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, January 28, 1997, by a majority vote, did approve for payment those vouchers included in the above mentioned list and further described as follows:

Voucher #6007-532, #6007-536 through #6007-537, #6007-540A, #6010-934 through #6010-935, #6014-668, #6014-675 through #6014-677, #6014-675 through #6014-677, #6014-679 through #6014-689, #6014727, #6014970, and #6017-472 in the total amount of \$949-402.36 and Warrants #168165 through #168706. (Transmittal No. C05-97).

2. Staff presented an Out-Of-State Travel Request for Paul Reilly to attend the Cable Television Law 1997 in San Francisco, California, on April 2nd through April 6, 1997, in regard to cable TV franchising and regulating. The total amount will be \$2,391. Commissioner Wolden made a motion to approve the request. Commissioner Hart seconded the motion and it passed unanimously. (Approved).

3. Staff presented a Resolution for the Transfer of Surplus Computer Equipment. The Resolution will authorize the transfer of one Compaq 420T Computer to Community Action Agency to fill the need for one computer monitor for use in their office. Commissioner Hart made a motion to approve the Resolution, as presented. Commissioner Wolden seconded the motion and it passed unanimously. (Resolution No. 16441).

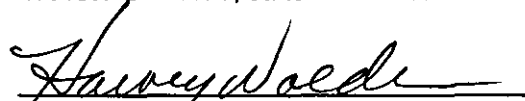
4. Jon Aarstad, Parks Department, presented a Resolution regarding the Award of Bid for Lease of Pasture Land at the Proposed Skagit County Fairgrounds to Weidenbach Farms with a bid of \$5,000 per year plus 550' of fencing along the property boundary per year. Mr. Aarstad reported that two bids were received on January 21, 1997, one of which was submitted by Reuhl and Arstein being incomplete. (Resolution No. 16442).

ADJOURNMENT.

Chairman Harvey Wolden made a motion to adjourn the proceedings into Executive Session. Commissioner Robert Hart 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
Board of Commissioners