

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
Tuesday, August 19, 1997**

- 7:30 a.m. – 8:30 a.m. Commissioners Staff Meeting
- 9:00 a.m. – 10:00 a.m. Board of Health – Peter Browning, Director.
- 1) Introduction of New Nursing Staff and Nursing Supervisors.
 - 2) Head Lice Program Update.
 - 3) Hepatitis B Program Update.
 - 4) Dental Van and Dental Sealant Program Update.
 - 5) Hepatitis A Potential Outbreak, A Success Story.
 - 6) Victim Notification Policy for HIV.
 - 7) Miscellaneous
- 10:00 a.m. – 10:30 a.m. Parks Projects Update.
- 10:30 a.m. – 11:00 a.m. Facilities Projects Update.
- 11:00 a.m. – 11:30 a.m. Planning & Permit Center – Roxanne Michael, Director.
- 1) Possible Action on Amendment to Skagit County Code 14.04.107(5)(a) Addressing Minimum Lot Size in Rural Resource – Natural Resource Land Zoning District.
 - 2) Miscellaneous
- 1:30 p.m. – 1:45 p.m. Bid Opening – Asphalt Overlay Projects for Lake Samish Road, Fir Island Road, Allen-West Road, and Old Highway 99 North.
- 1:45 p.m. – 2:00 p.m. Bid Opening – Robinson Road Bank Protection Project.
- 2:00 p.m. – 3:00 P.M. Public Hearing to Consider the Formation of a Lake Management District for Big Lake (Hearing Room “C”).

The Skagit County Board of Commissioners met in regular session on Monday, August 18, 1997, with Commissioners Harvey Wolden and Robert Hart present. Commissioner Ted W. Anderson's absence was excused for portions of the proceedings.

BOARD OF HEALTH – Peter Browning, Director.

1. Introduction of New Nursing Staff and Nursing Supervisors.

Peter Browning, Health Department Director, introduced Renee Shaw and Debby Kelly, new nurses added to the Health Department staff. Mr. Browning indicated that both nurses are bilingual, which is an additional plus to the Nursing staff.

Sandy Paciotti and Jennifer Sass were introduced as new nursing supervisors.

2. Head Lice Program Update.

Maryl Skjei, Nursing staff, reviewed the problems of head lice within the County, and advised the Board that head lice calls are one of the most numerous to the Health Department. She explained the duties, composition and mission of a task force that has been developed.

3. Hepatitis B Program Update.

Donna Gustin, Nursing staff, presented a brief update on the Hepatitis B Program. She informed the Board that over 3,000 youth in Skagit County have received the entire 3-part vaccine series. Ms. Gustin praised the tremendous cooperative efforts of local service clubs, school nurses and the County Health Department staff. She reviewed with the Board a data sheet concerning the number of students receiving the Hepatitis B vaccine in 1996-97.

Commissioner Anderson was present from this point in the proceedings.

4. Dental Van and Dental Sealant Program Update.

Kim Van Epps, Health Department staff, reviewed the proposed services of a dental van which will be a clinic on wheels to serve the under-served, low income individuals who are experiencing significant levels of dental disease in Skagit County. The dental service to be provided will be preventative and restorative in nature, and will be accomplished free of charge. Local dentists are involved in donating their time, together with representatives from Head Start, community members and the Northwest Resource Council. Service clubs and private organizations are being contacted to assist with daily operational costs.

Commissioner Anderson made several suggestions for funding possibilities.

Commissioner Hart asked about coordination with the Smile-Mobile. Ms. Van Epps clarified the differences in the services to be provided by the Dental Van and the Smile-Mobile.

Ms. Van Epps then discussed the sealant program. Data collected and analyzed revealed that low income children are experiencing significant levels of dental disease, which could be prevented. A local assessment revealed that 23% of the 6-8 year olds screened have untreated cavities. Mobile dental equipment has been purchased with funds from a State grant. Second graders will be screened by dentists and the children will then have sealant placed on their first permanent molars. A follow up examination will occur the following year to measure retention rates and replace missing or loose sealants. The only criteria for children is that they return their consent forms and have fully-erupted first molars.

Commissioner Anderson asked for a list of the school schedule so that the media could be notified.

5. Hepatitis A Potential Outbreak, a Success Story.

Sandy Paciotti, Nursing Staff, reviewed the history of a potential Hepatitis A outbreak following a conference by McDonald's managers in Cabo San Lucas, Mexico. Six persons became ill. Three were managers from Skagit County, two were managers from Snohomish County and one spouse was from Island county. The necessary treatment was discussed. No secondary cases of Hepatitis A resulted. Ms. Paciotti reviewed the causes of the disease, symptoms and methods of prevention. She applauded the cooperative efforts of Environmental Health Nursing and McDonalds.

6. Victim Notification Policy for HIV

Frank Cardinelli, Region 3 Aids Net, spoke on a victim notification program being coordinated with the Prosecuting Attorney and the Health Department. Victims of crimes of a sexual nature have a right to the results of an HIV test by the offender. The reasons for such notification were reviewed. A policy is being developed which will protect confidentiality and will be user friendly for the victim. Mr. Cardinelli indicated that the information will be very useful both medically and psychologically for the victims.

On query from Chairman Wolden, Mr. Cardinelli indicated that the policy should be put in place within the next few weeks.

7. Miscellaneous.

Commissioner Anderson noted the improved morale in the Health Department.

PARKS PROJECTS UPDATE.

Jon Aarstad, Parks & Recreation Director, reviewed the result of contributions Skagit County made to the community of La Conner for the construction of a tennis court facility. Dick Nord, La Conner, reviewed the history of the solicitation of funds from the County for rebuilding tennis courts in La Conner. He advised that community groups responded and provided funding and physical help. Local subcontractors also donated materials and equipment. He informed the Board that the Courts have been used on a daily basis since completed.

Commissioner Hart stated that the community of La Conner made this possible, and the County was happy to assist in this regard.

Commissioner Anderson noted that the Commissioners have not been territorial in providing funding to such projects throughout the community.

Mr. Aarstad reported on the progress at the Cook Road Playfields.

Mr. Aarstad stated that the end of the written comment period for the proposed shooting range is August 29. Further, the Hearing Examiner's decision will be forthcoming sometime after September 12, 1997.

Mr. Aarstad informed the Board that the Presentin Park presentation was made to the IAC last week. There are 94 other applicants. October 12 is when IAC Commission will make their recommendations to the Legislature. The contract will not be let until March of 1998. Mr. Aarstad indicated that the site assessments are completed and the cultural resources assessment has been completed. A map depicting the site was reviewed with the Board. Commissioner Anderson asked for another meeting with the community members in the area to further discuss the project. Mr. Aarstad indicated that would be a good idea after the cultural resources report is released, so that it could be reviewed at the same time.

Mr. Aarstad indicated that the Parks Codes are being worked on and will be revisited with the Board later this year.

Mr. Aarstad invited the Board to visit the Burlington-Edison Regional Park.

FACILITIES PROJECTS UPDATE.

Roger Howard, Facilities Director, reviewed the following with the Board:

1. He presented a Call for Bids for the remodel of Chinook Enterprises. Chinook has received a Community Development Block Grant of which Skagit County is the sponsor and conduit for funding for remodeling of their existing facility. Commissioner Anderson moved to approve the call for bids, setting the bid opening for September 29 at 1:30 p.m. The motion was seconded by Commissioner Hart and passed unanimously. **(Resolution No. 16638)**
2. Mr. Howard presented a Bid Award for the Skagit County Public Safety Building and Moen Building Re-roof projects. He explained that the Public Safety Building re-roof should be awarded to the low bidder, Scholten Roofing, Inc., for a base bid amount of \$81,945. The only bid for the Moen Building Roof overbuild should be rejected. Such bid was from Quantum Construction, Inc. and was for the sum of \$103,556. Commissioner Hart moved to approve the Bid Award as presented by Mr. Howard, including the rejection of the Quantum Construction bid for the Moen Building Roof Overbuild. Commissioner Anderson seconded Commissioner Hart's motion. The motion passed unanimously. **(Resolution No. 16637)**
3. Mr. Howard stated that he had a Bid Award prepared for the Skagit County Enhanced 911 Center, but within a few minutes prior to his agenda time, a question had developed on the low bidder, ASI Construction. The Board indicated the need to clarify any questions prior to the bid award.

After counsel with the Prosecuting Attorney's Office, Mr. Howard returned with the Bid Award as previously prepared. Mr. Howard explained that according to legal counsel, the bid is good. Consequently, the bid should be awarded to ASI Construction, Inc. for a base bid amount of \$1,434,610.

Commissioner Hart moved to award the bid for the Skagit County Enhanced 911 Center to ASI Construction for a base bid of \$1,434,610. Commissioner Anderson seconded the motion, and it passed unanimously. (Resolution No. 16639)

4. Mr. Howard presented an Amendment to an Agreement with Tom Theisen, Architect, for additions to the scope of services for the SKAT maintenance operation and administration facility. Compensation for the Amendment and increased scope of services will be billed an hourly rate not to exceed \$50,000. Commissioner Hart moved to approve the Amendment as presented by Mr. Howard. Commissioner Anderson seconded the motion, which passed unanimously. (Contract No. 03044)
5. Mr. Howard presented an Amendment to an Agreement with Tom Theisen, Architect for additions to the contract for the E911 Center. The increased scope will increase Mr. Theisen's compensation to \$114,768.80. Commissioner Hart moved to amend the contract to allow this increase. Commissioner Anderson seconded the motion, which passed unanimously. (Contract No. 03371)
6. Mr. Howard reviewed questions regarding the Blade Parking Lot Project and the increased costs of work necessary to a portion of Third Street. The preliminary estimate for the additional work is felt to be too high. Mr. Howard indicated that until these questions are answered, a contract has not been signed, and work has not begun.
7. The improvements to the MacGregor Building are near completion, and Cooperative Extension will be moving to the building this Friday. September 6 is the target date for the departments located in the Riverview Building to move.
8. Mr. Howard stated that the Certificate of Occupancy for the Public Works Shop has been delayed due to the UPS strike and lack of receipt of necessary cable to complete modifications.
9. The Board was advised that the final meeting on courthouse foundation issues will be held to, hopefully, resolve all remaining issues.

PLANNING & PERMIT CENTER - Roxanne Michael, Director.

1. Possible Action on Amendment to Skagit County Code 14.04.107(5)(a) Addressing Minimum Lot Size in Rural Resource - Natural Resource Land Zoning District.

Gary Christensen, Senior Planner, reviewed the proposed amendment to the Skagit County Code 14.04.107(5)(a). Mr. Christensen reviewed with the Board the Planning Commission's Recorded Motion. Mr. Christensen reviewed the Board's options at this point in time. They may accept the recommendation of the Planning Commission, remand it back to them for further study, to hold their own public hearing. He explained the inconsistency with the County's implementing ordinance. Based on the Planning Commission's review of the record, they have forwarded a recommendation to amend the code on a 5-0 vote. That action will make the Skagit County Code consistent with the implementing ordinance. Upon query from Commissioner Anderson, Mr. Christensen explained that there is no change in ultimate development rights within this designation, 1 per 10 with a CARD.

John Moffat, Prosecuting Attorney, explained that the County is under an order from the Growth Management Hearings Board.

Commissioner Hart moved to summarily approve the Planning Commission's recommendation. Commissioner Anderson seconded the motion, and it passed unanimously. (Resolution No. 16640).

2. Miscellaneous.

- A. Jim Cahill, Senior Planner, updated the Board on the State Revolving Fund to loan individual property owners monies to correct failing septic systems. Tom Karsh, Assistant Planning Department Director, explained that this is the second round of monies received by the State. The draft agreement was reviewed for some minor changes.

Commissioner Anderson moved to approve a Resolution concerning the Skagit Revolving Loan Fund Treasurer's Agreement. The motion was seconded by Commissioner Hart and was approved unanimously. **(Resolution No. 16641)**

In conjunction with this loan, Commissioner Anderson moved to approve a Resolution presented by Mr. Cahill entitled Skagit Revolving Loan Fund for Corrections of On-Site Sewage and Poor Farm Practice Problems. Commissioner Hart seconded the motion, which passed unanimously. **(Resolution No. 16642)**

- B. Mr. Christensen reviewed with the Board the proposed procedures for accommodating parties who need to review documents concerning the development of the Comprehensive Plan.

BID OPENING – ASPHALT OVERLAY PROJECTS FOR LAKE SAMISH ROAD, MCLEAN ROAD, FIR ISLAND ROAD, ALLEN-WEST ROAD, AND OLD HIGHWAY 99 NORTH.

Luis Poncho, Public Works Department staff, opened the following bids.

Lakeside Industries
Anacortes, WA
Bid bond is attached.
Addendum was acknowledged.
\$782,761.56

Associated Sand & Gravel
Everett, WA
Bid bond is attached.
Addendum was acknowledged.
\$806,103.16

Mr. Ponce advised that staff would be back to the Board within approximately two weeks with a bid award recommendation.

BID OPENING – ROBINSON ROAD BANK PROTECTION PROJECT.

Staff opened the following bids for the Robinson Road Bank Protection Project.

IMCO General Construction
Bellingham, WA
Bid Bond is attached.
\$381,760.41

Janicki Logging & Construction
Sedro Woolley, WA
Bid Bond is attached.
\$301,067.07

CM Trucking
Sedro Woolley, WA
Bid Bond is attached.
\$357,679.32

Colacuico Construction
Blaine, WA
Bind Bond is attached.
\$506,978.01

One Way Construction
Sedro Woolley, WA
Bind Bond is attached.
\$352,336.76

Island Construction
Oak Harbor, WA
Cashier's Check is attached.
\$420,282.93

The Engineer's estimate was \$378,427.05. The bids will be reviewed and staff will present a bid award recommendation within the next two weeks.

MISCELLANEOUS

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, August 19, 1997, the Board, by a majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

Warrant number 2137 through 2138 from Clearing Fund #696 in the total dollar amount of \$1,000.

PUBLIC HEARING TO CONSIDER THE FORMATION OF A LAKE MANAGEMENT DISTRICT FOR BIG LAKE.

Commissioner Anderson was not present for this public hearing.

Chairman Wolden opened the public hearing. He introduced Dawn Severin, County Aquatic Weed Coordinator, who gave a brief overview of the proposal for the Lake Management District (LMD) at Big Lake. Ms. Severin reviewed the process of applying and receiving grants, and the desire of the LMD to generate funding. The amount being proposed to assess each property owner is in the \$100 - \$200 range per year. Currently it is anticipated that the amount will be \$1308 per year for a five-year period.

Commissioner Hart clarified that public testimony will be taken today and that no formal action will be forthcoming from the Board at this time.

Carl Rogers, who owns six lots on Big Lake, commented on the large assessments on his property and his inability to use his property. He expressed frustration over continuing rising assessments when his property is not usable. He stated that he does not mind paying his fair share for cleaning up the lake, but questioned if there will be further assessments in the years to come. He further expressed concerns that a Steering Committee might dictate the use of his property.

Ed Finlan, 1872 Highway 9, Mount Vernon, lives on Big Lake, and questioned taxing only the property owners on Big Lake and not assessing the general public who use the lake. He suggested that perhaps a mandatory sticker for watercraft might be sold to those using the lake. Mr. Finlan stated that funding by property owners only is wrong. He also questioned whether additional assessments will be necessary at the end of the five year period.

Adrienne Brown, Big Lake, stated that she would like to see the lake cleaned up. She presented a document to the Board showing that the State leased the boat launch from the County for a period of 25 years, and the lease expires next February. Ms. Brown expressed strong support for putting some controls on the lake and increase public awareness and respect of Big Lake. She indicated that this is the time for the County to take the boat launch back into its possession. Ms. Brown indicated that the Big Lake property owners have funded sewer and water districts and the County should do their part and maintain the boat launch.

Martin Ward, Big Lake, stated that he has been involved with this group of people who have been working on cleaning up the lake for a number of years. It is not an ideal circumstance, and is not entirely fair, but the residents are limited in the possibilities to solve the problems at Big Lake.

Shelly King, Big Lake, stated that she was involved in the Steering Committee. She expressed the need to utilize the grant funds that have been secured. She further expressed the need to clean up the entire lake and control public access.

James Simmons, who owns one lot on the lake, stated his main concern over confusing and conflicting bulletins that have been distributed to property owners. He expressed concern that an advisory steering committee may eventually dictate what he can do with his property, rather than just address the problems of cleaning up the lake.

Helen Cook, Big Lake, asked questions concerning the five-year limit to the assessment and whether a public entity such as Skagit Valley College, who owns the property, will also contribute.

Commissioner Wolden commented on the formation of a taxing district.

Commissioner Hart questioned if the structure of the ballot question could be such to make it very clear to property owners exactly how they would be assessed.

Ms. Severin stated that the original resolution signed by the Board stated that the assessments would be by parcel.

A discussion ensued on the rates of assessment.

Chairman Wolden confirmed with Ms. Severin that the Lake Management District Advisory Board would be composed of volunteers appointed by the Skagit County Commissioners, very similar to a sub-flood control zone.

Carl Rogers, Big Lake, again expressed his concerns relating to his contiguous parcels. He read the exemptions to the proposed assessments. He stated that he feels he is being asked to vote on a blank check. He stated the need to know in writing exactly what is being proposed and expressed concern that there is much confusion over this entire matter.

A Goodfellow, Big Lake Boulevard, indicated that the problem is that property owners do not know all of the rules and regulations regarding an LMD. Several property owners have been involved in this process for quite some time, and have managed to obtain \$137,000 in state funds so that the homeowners are not the only ones footing the bill. Mr. Goodfellow explained that the opportunity is here to have the public, through state grants, help us. The time is now, and we need to get a management plan in place soon. Mr. Goodfellow indicated that this needs to go to a vote, and that he supports the formation of a Lake Management District.

Chairman Wolden stated that there have been funds raised, and that Ms. Severin has made successful efforts to obtain these grants. The County has provided Ms. Severin's services for this purpose.

Rich Whalen, Big Lake Boulevard, stated that he is very concerned about Big Lake and the deterioration that he sees every year. He stated that he went door-to-door obtaining signatures and that everyone was supportive. This has been an on-going process for many years, and just now opposition has begun. Mr. Whalen stated that most of the people in opposition have never attended any community meetings. He further indicated that the time for additional meetings and hearings has passed, and it is time to take this to a vote and not stall any further.

Shelly King briefly commented on the wording for a ballot.

Sue Koback clarified with staff that this is a mailed special election ballot to property owners, not registered voters in Skagit County only.

Ms. Severin explained that everyone's individual situations will be dealt with after the vote is taken, including exemptions.

Chairman Wolden briefly commented on health and safety concerns at Big Lake.

Jerry Rindal, Sulphur Springs Road, indicated that trying to control the weeds on an individual basis has not worked, and it is time to quit arguing and vote. Please put the question to the property owners.

Commissioner Wolden indicated that Commissioner Anderson is absent due to recovery from recent surgery.

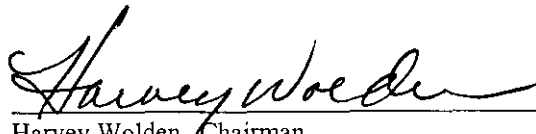
There being no further public comment forthcoming, Commissioner Hart moved to close the public hearing, with the written comment period being left open until 4:30 p.m. on Friday, August 22, 1997. Chairman Wolden seconded the motion, and it passed unanimously. The public hearing was closed.

ADJOURNMENT

Chairman Wolden made a motion to adjourn the proceedings. Chairman Hart seconded the motion, and it passed unanimously.



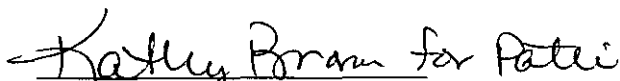
**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**


Harvey Wolden, Chairman 8/25/97

Robert Hart, Commissioner


Ted W. Anderson, Commissioner

ATTEST:


Patti J. Chambers, Clerk of the Board
Skagit County Board of Commissioners