

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
Tuesday, July 28, 1998**

- 9:00 a.m. – 10:00 a.m. Public Works Department – Chal Martin, Director
- 1) Public Hearing – Adoption of the Proposed Comprehensive Six-Year Transportation Improvement Program for 1999-2004.
 - 2) Public Hearing – Consideration of a Road Name Change renaming Deane's Drive, #10330, to Deane Drive.
 - 3) Public Hearing – Consideration of a Road Name Change renaming Terrace Place, #72030, to Lake Terrace Place.
 - 4) Signature – Change Order No. 3 – Phase I Reservation Road Improvement Project, CRP 40210-1.
 - 5) Miscellaneous.
- 10:00 a.m. – 11:00 a.m. Planning and Permit Center – Tom Karsh, Director.
- 1) Consideration of Property Acquisition and Additional Funds under the Hazard Mitigation Grant Project.
 - 2) Miscellaneous.
- 11:00 a.m. – 11:30 a.m. Presentation of Petitions for Consideration of the Formation of Lake Management District No. 2 for Lake McMurray.
- 1:30 p.m. – 2:00 p.m. Bid Opening – One New Latest Model Four-Wheel Drive Utility Tractor with Bucket Loader.

The Skagit County Board of Commissioners met in regular session on Tuesday, July 28, 1998, with Commissioners Robert Hart, Ted W. Anderson and Harvey Wolden present.

PUBLIC WORKS DEPARTMENT – Chal Martin, Director.

1) Public Hearing – Adoption of the Proposed Comprehensive Six-Year Transportation Improvement Program for 1999-2004.

Chairman Hart opened the public hearing.

Steve Flude, P.E., Assistant County Engineer, Public Works Department, reported on the 1999-2004 Six Year Transportation Improvement Program. He reviewed the variety of projects that are planned for that time period, indicating that they have an aggressive schedule and that they are excited about their plans.

Chairman Hart opened the hearing for comments from the public.

Randy Good, 25512 Minkler Road, Sedro Woolley, presented a letter to the Board, complaining that the plan was not ready when he asked for a copy of it on July 24, 1998. The plan was only available for two working days for public view. Also, Skagit County has no non-motorized plan and this was added without the knowledge of many, including Public Works officials. Some of the funds are ear marked for the abandoned Sedro Woolley railroad corridor. All funding must stop on this plan in order to comply with the Skagit County Comprehensive Plan. He reviewed a community vision statement from the Planning and Permit Center.

As there were no further public comments, Commissioner Anderson motioned to close the public hearing. Commissioner Wolden seconded the motion, which passed unanimously.

Commissioner Anderson asked about the fact that the plan was not ready when Mr. Good asked for it.

Chal Martin, Public Works Director, indicated that the draft plan was ready at the time referred to.

Dave Balz, Transportation Planning Manager, clarified that what they have done in public meetings is focus on road projects, so they didn't really talk about on-going programs. In the past those have been pretty much the same from year to year. This year they are a little different.

Mr. Martin noted that relative to Mr. Good's comment that there was no specific plan relative to some projects, that is true. They expect in the next six years to be putting money into those projects, although the amounts are unknown now.

Commissioner Wolden noted that these are all projected projects, and it doesn't necessarily mean everything will be done.

Commissioner Wolden motioned for approval of the Six-Year Transportation Plan as submitted. Commissioner Hart seconded the motion, which passed unanimously. **(Resolution #17081)**

2) Public Hearing - Consideration of a Road Name Change renaming Deane's Drive, #10330, to Deane Drive.

Chairman Hart opened the Public Hearing.

As there were no comments from the public, Commissioner Wolden motioned to close the public hearing. Commissioner Anderson seconded the motion, which passed unanimously.

Commissioner Wolden motioned to approve the road name change renaming Deane's Drive, #10330 to Deane Drive. Commissioner Anderson seconded the motion, which passed unanimously. **(Resolution #17082)**

3) Public Hearing - Consideration of a Road Name Change renaming Terrace Place, #72030, to Lake Terrace Place.

Chairman Hart opened the Public Hearing.

Mr. Flude, described the road name change of Terrace Place, explaining that it was requested by the residents and property owners who live along the road.

Chairman Hart opened the hearing for public comment.

Bill Bounds advised that he has been a resident for sixteen years on Terrace Place and, originally, in the old records, it was called Lake Terrace Place. Somewhere along the line, its identity was lost. The residents like the association with the lake and being identified with the Big Lake community.

Mr. Bounds presented letters from Robert G. Guy and Ron and Fonda Downs asking that Terrace Place be called Lake Terrace Place.

Commissioner Wolden motioned to close the Public Hearing. Commissioner Anderson seconded the motion, which passed unanimously.

Commissioner Wolden motioned to approve the Road Name Change of a County Road known as Terrace Place #72030 to Lake Terrace Place #72030. Commissioner Anderson seconded the motion, which passed unanimously. **(Resolution #17083)**

4) Signature - Change Order No. 3 - Phase I Reservation Road Improvement Project, CRP 40210-1.

Steven Flude presented a change order for the Reservation Road No. 40210 Improvement Project CRP 40210-1. The point is item 41, which has to do with increased or decreased quantities. A section in the standard specs allows the engineer to pay the contractor for work actually completed. Sometimes the estimated quantities in the bid are inaccurate, but this standard spec allows for overrun or underrun quantities by as much as 25%. Mr. Flude stated that they are trying to figure out a way that they can pay the contractor for work actually performed.

Mr. Martin explained further the issue of quantities. What transportation officials recommend across the state is that counties stick to the standard specs. He said he did not know if that has been done in Skagit County. He advised that a situation like this does not happen very often.

Commissioner Wolden thought that a 25% overrun or under-run was quite a lot.

Mr. Martin explained that this kind of thing does not happen very often.

Commissioner Hart also questioned this and stated that running over a budget by 10% could cause serious problems.

Mr. Flude used an example, explaining that if they have to stop a project for a change order it can take too much time.

Commissioner Hart stated that when a job is past the 10% then a change order needs to come before the Commissioners for authorization.

Commissioner Wolden agreed with Commissioner Hart that 10% is livable and if it is over that, it should come before the Board of County Commissioners.

Commissioner Anderson added, if a project went over by 25%, it could be \$100,000 which is a lot for the Commissioners not to be involved.

Mr. Flude advised that he used this method in a previous county and they were able to save money in other ways on a project.

Mr. Martin said that what he hears from the Board is that the Board wants to hear about cost overruns. He said he agrees with that, but they don't like to shut a job down when there is a situation in the field when a contractor is mobilized.

Commissioner Hart suggested that if they are getting to a point where there is a problem, Mr. Martin could e-mail him and indicate that a change order is needed. It could then be run through on the Consent Agenda.

Mr. Flude indicated that Public Works has an internal policy that doesn't square with the contractor's specs. Now that they know the wishes of the Board they can make sure that it is reflected in the specifications.

Commissioner Anderson motioned to approve Change Order #3 for Road No. 40210 in the amount of approximately \$44,926.00. Commissioner Wolden seconded the motion, which passed unanimously.

Miscellaneous

Mr. Martin, Public Works Director, reported that the Public Works Department has been in contact with the City of Sedro Woolley regarding their requirements for the Cook Road Project.

The City of Sedro Woolley has indicated that they need about \$900,000 of the grant of 3.1 million dollars that came out of the new Federal Transportation Bill. Doug Barnett faxed this most recent project and he is around \$2,000,000 for the Sedro Woolley part of the project.

Currently, the County is funded at \$5,498,000. As the Board knows, the Public Works Department has been trying to accumulate money for this project and that money, along with the Federal money, puts the department in pretty good shape in regard to the project.

Because there is currently over-funding on the Cook Road project, Mr. Martin proposed that the County go back to SCOG and suggest a re-programming of money out of the Cook Road project to the Farm to Market Road project. The only money to be moved would be the SCOG Federal money in the amount of 1.5 million. Mr. Baltz has indicated that the County would probably have to compete for that money; and, in that transfer, he expects the County will lose about \$200,000.

The more grant funding the County can obtain the better, especially if it can be tailored to County projects. But, it is important to make sure that projects aren't being overfunded so that the grant money has to be given back. It is reasonable to have projects funded at 75% to 80%. He said they would like to convince the SCOG to go for all six years of this money, although no action has been taken yet with the SCOG to bring this up.

During discussion about this matter, Ed Hawes, Program Manager, Public Works Department, said he thinks \$200,000 is realistic.

Commissioner Hart emphasized that the bottom line is they want to get as much done as possible for the citizens of Skagit County.

Commissioner Anderson added that he feels these are good projects.

Commissioner Wolden emphasized that they should get as much done as possible.

PLANNING AND PERMIT CENTER – Tom Karsh, Director

1) **Consideration of Property Acquisition and Additional Funds under the Hazard Mitigation Grant Project.**

Corey Schmidt, Building Official, provided an update on the Hazard Mitigation Grant Project. He explained that sixteen family residences have been acquired through the property acquisition grant. Another \$990,650.00 has been requested that will purchase 60 residences, relocate two and elevate two. The relocations are floodway property.

Commission Hart stated that elevating would be an answer to the problem. Commissioner Wolden agreed.

There was some discussion about a site along the river that is too dangerous for a residence.

Commissioner Hart asked if the site could be a trailhead for the Cascade Trail as there is parking and an access area there.

Mr. Schmidt agreed that it would be a perfect site.

Commissioner Wolden mentioned that since this site is near Hamilton, they may want a site located in the town.

Commissioner Anderson noted that there is authorization to pay the landowner \$38,000 for this property. He suggested that he and Corey Schmidt talk to the landowner about this as it might be possible to convert the site to an access area.

Mr. Schmidt told the Board that he would continue to work on this matter.

Mr. Schmidt advised the Board that the Cape Horn residents are demanding about \$6,000 in maintenance fees. He said he does not believe the County should be responsible for those fees.

Mr. Schmidt also provided to the Board a status report on the Hazard Mitigation Grant Project.

Commissioner Hart emphasized that these matters do need to be dealt with.

Miscellaneous

Tom Karsh, Director, Planning and Permit Center, advised the Commissioners that yesterday afternoon the Planning and Permit Center submitted two letters to the Boundary Review Board in support of two annexation proposals.

One of the matters is a hearing scheduled relating to the Burlington Hill annexation. Margaret Fleek, Planning Director for the City of Burlington, has advised the Planning and Permit Center of Burlington's wish to expand the area which has, historically, been a problem as an on-site sewage site.

It is the recommendation of the Planning and Permit Center that this annexation be approved.

Commissioner Hart indicated he did review the information and did not think that a position of opposition has been taken to this at any time. They do need to comply with the WAC's and RCW's, which are statutes that are in place outside of the County's jurisdiction.

Margaret Fleek was present and thanked the Board for their support in this matter.

Mr. Karsh advised the Board of Commissioners that the second annexation is a proposal from the City of Mount Vernon to extend sewer services to the Mt. Vernon urban growth area prior to annexation. This is a notice of annexation and if the Board has a concern a Boundary Review Board review can be invoked. The Planning Department is recommending that this annexation be approved.

Commissioner Wolden said that he had no problem with this. It is a win-win situation. If they are going to annex, then at least the City's infrastructure is in.

Commissioner Hart said he had no problem with this.

PRESENTATION OF PETITIONS FOR CONSIDERATION OF THE FORMATION OF LAKE MANAGEMENT DISTRICT NO. 2 FOR LAKE MCMURRAY.

Dawn Severin, Aquatic Weeds Coordinator, submitted a petition with seventeen signatures to the Board asking for consideration of the formation of Lake Management District No. 2 for Lake McMurray.

Commissioner Hart agreed that there is enough interest here to ask for a Public Hearing and get the feelings of the people involved either in person or by mail.

Commissioner Wolden noted that there is a potential of 264 people here and if a Public Hearing is called it will stir up interest.

Commissioner Wolden motioned to call for a Public Hearing for September 1 at 4:00 p.m. for consideration to be given to the formation of Lake Management District No. 2 for Lake McMurray. Commissioner Anderson seconded the motion, which passed unanimously. (**Resolution #17084**)

BID OPENING – ONE NEW LATEST MODEL FOUR-WHEEL DRIVE UTILITY TRACTOR WITH BUCKET LOADER.

Charlie Sisson, ER and R Coordinator and Karla Farrell, ER and R Assistant of the Public Works Road Department opened bids for One New Latest Model Four-Wheel Drive Utility Tractor with Bucket Loader.

The following bids were received:

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| <ul style="list-style-type: none"> • Barnett Turf and Tractor
P.O. Box 468
Snohomish, WA
1998 John Deere 5410 | <ul style="list-style-type: none"> Bid Bond enclosed: \$1,704.25 Total price: \$34,085.53 No alternate proposal. |
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| <ul style="list-style-type: none"> • Redmond Lawn and Equipment
18014 Redmond Way
Redmond, WA 98052
1998 John Deere 5410
No alternate proposal. | <ul style="list-style-type: none"> No Bid Bond Total price: \$34,279.93 |
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| <ul style="list-style-type: none"> • Barnett Implement Company, Inc.
1795 H. 99 South
P.O. Box 666
Mount Vernon, WA 98273
1998 John Deere 5410 | <ul style="list-style-type: none"> No Bid Bond No alternate proposal Total price: \$32,540.61 |
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- **Barnett Implement Company, Inc.** No Bid Bond
Alternate proposal: Total price: \$30,065.72
1997 5400 John Deere Tractor


Chairman Hart requested that Charlie review the bids and come back with a recommendation.

There was some discussion about whether a bid deposit can be accepted after the bids are opened. The Board agreed to accept the bid bond if it was brought in immediately and if the County's legal counsel approves.

ADJOURNMENT

Commissioner Wolden motioned to adjourn the proceedings and Commissioner Anderson seconded the motion, which passed unanimously.

**BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**



Robert Hart, Chairman


Ted W. Anderson, Commissioner



Harvey Wolden, Commissioner



ATTEST:



Jean Terry, Acting Clerk
Board of County Commissioners