

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
Tuesday, September 8, 1998**

- 7:30 a.m. – 8:30 a.m. Commissioners' Staff Meeting.
- 8:30 a.m. – 9:00 a.m. Work Session – Operations Division Manager/District Maintenance Supervisors.
- *T 9:00 a.m. – 10:00 a.m. Public Works Department – Chal Martin, Director
- 1) Public Hearing – Consideration of a Road Name Change from Jura Way Lane, No. 13920, to Jura Lane.
 - 2) Discussion – Total Maximum Daily Loads Study and Proposed Skagit County Costs.
 - 3) Discussion – Termination of Agreement with U.S. Army Corps of Engineers for Continued Maintenance of Jackman Creek.
 - 4) Signature – Joint Funding Agreement for Water Resources Investigations – U.S. Geological Survey and U.S. Department of the Interior.
 - 5) Signature – Letter of Appreciation to Washington State Department of Fish and Wildlife (Lake Cavanaugh Culvert Replacement Project).
 - 6) Signature – Request for Letters of Interest and Proposals for On-Call Real Estate Services.
 - 7) Miscellaneous.
- 10:00 a.m. – 10:15 a.m. Public Comment Period.
- CONSENT AGENDA
MISCELLANEOUS**
- 2:00 p.m. – 3:00 p.m. Review and Possible Approval of Property Selection Recommendations by the Conservation Futures Advisory Committee.
- *T 3:00 p.m. – 3:30 p.m. Juvenile Probation Department – Lyle Poolman, Director.
- 1) Signature – Resolution to Increase Detention Fees.
 - 2) Discussion – Request for Proposals regarding Office of Juvenile Justice.
 - 3) Miscellaneous.

The Skagit County Board of Commissioners met in regular session on Tuesday, September 8, 1998, with Commissioners Robert Hart, Ted W. Anderson and Harvey Wolden present.

PUBLIC WORKS DEPARTMENT – Chal Martin, Director.

1. Public Hearing – Consideration of a Road Name Change from Jura Way Lane, No. 13920, to Jura Lane.

Chairman Hart opened the public hearing.

Chal Martin, Public Works Department Director, briefly discussed with the Board the distinction between roads named "Lane" or "Way" and "Road." Commissioner Wolden explained his understanding that private roads were to be named "Lane" and marked with yellow signage, while County roads were to be called "Road" and would be marked with green signage. Commissioner Wolden stated that he would prefer to call all County roads "Roads," rather than "Lane," "Way," "Drive," or some other name. A brief discussion ensued regarding Commissioner Wolden's comments.

Steve Flude, Assistant County Engineer, reviewed the requested road name change for this public hearing, which would change the name of "Jura Way Lane" to "Jura Lane." He explained the exact location of the subject roadway.

Ardith McDowell, Jura Way Lane, explained the difficulties with the various roads named "Jura" in the area. She stated that it is her understanding that a "lane" is basically a dead-end roadway. She stated that the homeowners on Jura Way Lane feel that the names and address numbers have been very confusing for mail delivery and emergency responders. She indicated that the recent address changes have been very helpful in this regard, but changing the road name would also be of assistance.

Edward Smith, 1449 Jura Way Lane, said that he would be extremely grateful if the name of the road could be changed to "Jura Lane." Commissioner Wolden clarified with Mr. Smith and Staff that this is a dead end road.

There being no further public comment forthcoming, Commissioner Wolden moved to close the public hearing. Commissioner Hart seconded the motion, which passed unanimously. The public hearing was closed.

A discussion ensued on the appropriateness of maintaining this road name as a "Lane."

Commissioner Hart moved to restore the name of "Jura Lane" to this roadway, removing the name "Jura Way Lane." Commissioner Anderson seconded the motion. The question was called for. Commissioners Hart and Anderson voted for the motion. Commissioner Wolden voted "nay." The motion passed. **(Resolution No. 17124)**

2. Discussion – Total Maximum Daily Loads Study and Proposed Skagit County Costs.

Sky Miller, Surface Water Management Section Manager, explained that Skagit County, Burlington, Sedro Woolley and Mount Vernon collectively asked the Department of Ecology for a \$120,000 grant to obtain additional data which the cities hope will show a need to relax the current Total Maximum Daily Loads, or TMDL's. These affect the wastewater treatment plants and could lead to costly modifications. Skagit County is involved because a portion of the pollutant loading occurs upriver.

Mr. Miller stated that the Department of Ecology did not award a grant, but offered a low interest loan. The Cities have consequently asked that Skagit County pay a portion (27% or \$31,920 total) of the loan repayment. Costs would be \$14,112 in 1999 and \$,452 per year for years 2000 through 2003.

Chairman Hart reviewed questions he had asked of the Department of Ecology regarding these issues and the problems with sewer treatment plants. He indicated that the County should contribute to the study, but probably should not be responsible for one-third of the cost.

Commissioner Anderson concurred that the County should contribute to this testing, but expressed his belief that the County should not commit at such a high level.

Mr. Martin confirmed the Board's comments that they are committed to the project, but would like to receive information on the County's contribution to the TMDL. Commissioner Anderson stated that it would be nice to have some statistics to determine exactly where the largest problems are coming from.

3. Discussion – Termination of Agreement with U.S. Army Corps of Engineers for Continued Maintenance of Jackman Creek.

Mr. Miller next discussed the Department's desire to terminate a 40-year old maintenance agreement between the U.S. Army Corps of Engineers and Skagit County. He reviewed a draft letter in this regard to the U.S. Army Corps of Engineers. Mr. Miller explained that this agreement is not the best economic solution for Jackman Creek for the following reasons:

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1. Continued dredging in an alluvial fan is not the most economical solution.
2. There are parties in addition to Skagit County that benefit without contributing.
3. Dredging harms salmon, and the Department of Fish & Wildlife will not permit the project in the future.

Chairman Hart and Commissioner Anderson indicated their approval of proceeding with this letter to the US Army Corps of Engineers outlining the proposal to cease continued maintenance of Jackman Creek. Commissioner Wolden concurred.

4. Signature – Joint Funding Agreement for Water Resources Investigations – U.S. Geological Survey and U.S. Department of the Interior.

Mr. Miller discussed with the Board a Joint Funding Agreement for Water Resources Investigations between the U.S. Geological Survey, U.S. Department of the Interior and Skagit County. He reviewed the specific provisos of the Agreement. The cost to the County will be \$5,535.

Commissioner Anderson moved to approve the Agreement as presented by Mr. Miller. Commissioner Wolden seconded the motion for approval, which passed unanimously. **(Contract No. 04050)**

5. Signature – Letter of Appreciation to Washington State Department of Fish and Wildlife (Lake Cavanaugh Culvert Replacement Project).

Mr. Miller explained the particulars of this project, and the Department of Fish & Wildlife's participation in minimizing the road closure time for the Lake Cavanaugh Culvert Replacement Project. The project was finished 4 weeks early. He reviewed with the Board a letter of appreciation to the Department of Fish & Wildlife for their integral part in this project.

Commissioner Wolden moved to approve the Board's signature on a letter of appreciation to the Washington State Department of Fish & Wildlife for their contributions to the Lake Cavanaugh Culvert Replacement Project. Commissioner Anderson seconded the motion, which passed with a unanimous vote. The Board signed the letter.

6. Signature – Request for Letters of Interest and Proposals for On-Call Real Estate Services.

Mr. Martin advised that the paperwork has not been completed for this item, but he briefly discussed the need for the request for letters of interest to proceed. He explained that this is in anticipation of the services the Department will not be able to provide. He indicated that it is anticipated that there would be three contractors brought on board with a not-to exceed aggregate contract amount of \$115,000. Mr. Martin stated that legal review had made changes to the proposal, but that the required paperwork would be coming back to the Board for their consideration.

7. Miscellaneous.

There were no miscellaneous matters for discussion.

PUBLIC COMMENT PERIOD.

There were no citizens present for the public comment period.

CONSENT AGENDA.

Staff advised that Item No. 13 should be removed from the Consent Agenda, pending further review by the Budget Manager. Commissioner Anderson moved to approve the Consent Agenda for Tuesday, September 8, 1998, items 1-12, and 14-16. Commissioner Wolden seconded the motion, which passed unanimously.

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1. Record of the Proceedings of Monday, August 31, 1998.
2. Record of the Proceedings of Tuesday, September 1, 1998.
3. Resolution providing a Defense to Brian Stephan and Jane Doe Stephan in a Lawsuit brought by Cynthia Sikkenga. **(Resolution No. 17125)**
4. Resolution providing a Defense to Charles M. Tewalt in a lawsuit brought by Fernando Ortiz Ramon, Jr. **(Resolution No. 17126)**

PUBLIC WORKS DEPARTMENT:

5. Resolutions Requesting Proposals for the Procurement of Maintenance Materials. The proposals will be opened on October 6, 1998, at 1:30 p.m. **(Resolution No. 17127)**
6. Out-of-State Travel Request of Jennifer Aylor, Watershed Planner, to attend a class entitled "The National Flood Insurance Program: Community Rating System," in Emmitsburg, Maryland, from September 14-18, 1998. Total cost to Skagit County is \$75 for a meal ticket. Lodging is provided free of charge, and upon successful completion of the class, the Federal Emergency Management Agency will reimburse Ms. Aylor for her airfare. **(Approved)**
7. Adopt-A-Road Litter Control Program Agreement with Northwest Glacier Cruisers, adopting a portion of Baker Lake Road from the County line near Schriebers Meadow Road to four miles south of the County line. **(Contract No. 04051)**
8. Resolution approving the sale of excess property (1991 GMC Pick-Up) to the Town of LaConner for a total purchase price of \$3,500. **(Resolution No. 17128)**
9. Resolution approving the sale of excess property (three 1994 Chevrolet Caprice Sedans) to the Town of LaConner for the purchase price of \$5,200, in addition to the monetary value received from disposing of three vehicles from the Town of LaConner. The three vehicles to be disposed of include a 1987 Chevrolet Caprice Sedan and two 1988 Chevrolet Caprice Sedans. **(Resolution No. 17129)**
10. Construction Contract with Paragon Construction Company for the Edison Slough Drainage Improvement Project, including improvements to be made to the Edison Slough crossings at West Bow Hill Road and a private driveway owned by Duane Eitreim. The total contract amount is \$249,389.80, and funding for the project is provided by the Drainage Utility and the road fund. **(Contract No. 04052)**

SENIOR SERVICES:

11. Amendment No. 2 to contract with the Northwest Regional Council, which incorporates the revised budget into the contract. This amendment reflects a decrease in the contract amount of \$596. **(Contract No. 03775)**
12. Approval and Acknowledgement of the Annual Review Results of the 1997 Basic Agreement with the Northwest Regional Council. **(Approved)**
13. Resolution approving stipends for RSVP "Skagit Reads" Volunteers. **(Removed from Consent Agenda)**

ENHANCED 911:

14. Contract Amendment "A" to the contract with the Washington State Military Department for the additional reimbursement to the County of \$365,000 for County-wide Microwave System funding, and \$100,000 for workstation funding. **(Contract No. 03640)**

SHERIFF'S OFFICE:

15. Memorandum of Understanding among the Burlington-Edison School District, the Burlington Police Department, and the Skagit County Sheriff's Department regarding the Threat of Physical Intimidation, Violence, and Possession/Use of Weapons or Drugs on School Property..."A NO TOLERANCE POLICY."
(Contract No. 04053)

PARKS & RECREATION:

16. Notice of Call for Bids for 1,800 pieces of pressure treated 2" x 12" x 16' Hemlock standard/better LP22 with .60 treatment. The bid opening will be September 22, 1998 at 11:00 a.m. **(Resolution No. 17130)**

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, September 8, 1998, the Board, by a majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

Warrants numbered 27314 through 27314 from Clearing Fund 696, in the total dollar amount of \$4,109.69 (Transmittal No. C-58-98); and

Warrants numbered 27315 through 27617 from Clearing Fund 696 in the total dollar amount of \$466,239.36 (Transmittal No. C-59-98).

2. Staff presented an Interlocal Agreement with the Concrete Lions Booster Club and the concrete School District No. 11 for Construction of Fitness Center/Recreation Facility and Athletic Field improvements, which would allocate \$15,000 for the construction of improvements upon the District's property. The term of this Agreement will commence on August 11, 1998 and terminating on August 1, 2008. Commissioner Anderson moved to approve the Interlocal Agreement as presented y Staff. Commissioner Wolden seconded the motion, which passed unanimously. **(Contract No. 04054)**

REVIEW AND POSSIBLE APPROVAL OF PROPERTY SELECTION RECOMMENDATIONS BY THE CONSERVATION FUTURES ADVISORY COMMITTEE.

Rich Doenges, Director, Farmland Legacy Program, asked the Board to approve, modify or reject the properties listed for Development Rights Acquisition and Conservation Easement Acceptance on certain farmland as recommended by the Conservation Futures Program Advisory Board. He briefly explained the benefits to the County to retain this property as farmland. He stated that the County was recently awarded funding of \$450,000, which will fund 50% of the easement costs.

Mr. Doenges reviewed the list of recommended properties for purchase of development rights and detailed their location and amount of acreage.

Chairman Hart stated that he has followed this process closely and that this list of properties is a good cross-section of properties throughout the County. He asked if there were any properties where the Committee was not able to reach a negotiated figure. Mr. Doenges replied that there was one property consisting of 33 acres that fell out of the running. He explained that there would be formal offers made to the owners of the properties and conservation easements would be drafted.

Mr. Doenges expressed hope that once the word gets out and the system for inclusion is readily known, more property owners will be interested in participating in this program.

Commissioner Wolden stated that we need to get the program started, and the \$450,000 grant will certainly assist in this regard.

Commissioner Wolden moved to approve the Resolution approving the development rights acquisition and conservation easement acceptance on certain farmland as recommended by the Conservation Futures Program Advisory Board as listed on Attachment "A" to the Resolution, for a total dollar amount of \$644,819.94. Commissioner Anderson seconded the motion, which passed with a unanimous vote. **(Resolution No. 17131)**

Bob Rose, Skagitonians to Preserve Farmland, advised that \$15,000 worth of MicroSoft stock had been donated to his organization, 2/3rds of which will be made available to this program as an additional match. He indicated his hope that similar properties to those approved today can be purchased with the help of these additional funds.

JUVENILE PROBATION DEPARTMENT – Lyle Poolman, Director.

1. Signature – Resolution to Increase Detention Fees.

Lyle Poolman, Juvenile Probation Department Director, reviewed the history of the collection of detention fees from neighboring counties that utilize beds in Skagit County's Juvenile Detention facility. Fees were raised from \$60 to \$70 per child per day some time ago. Several years later, it is time to look at raising these fees again, in an effort to keep the costs of detention down. He reviewed the specifics of the operation of the detention center.

After a brief discussion, Commissioner Anderson moved to approve a Resolution increasing the detention fees charged to neighboring jurisdictions from \$70 per child per day to \$90 per child per day. Commissioner Wolden seconded the motion, which passed unanimously. **(Resolution No. 17132)**

2. Discussion – Request for Proposals regarding Office of Juvenile Justice.

Mr. Poolman advised that the State put out a Request For Proposals (RFP) for the amount of \$100,000 asking organizations to submit proposals to reduce school suspensions and expulsions. Mr. Poolman contacted all of the school districts in Skagit County and all six principals were enthusiastic about submitting a proposal. Mr. Poolman has developed a model and has set a meeting with school superintendents to try to submit a proposal in order to receive the State monies. He asked the Board for permission to act as the lead agency in conjunction with the school districts in this regard. Upon a query from Commissioner Wolden, Mr. Poolman advised that there is no match of dollars required from the County. The Board indicated their approval to submit a response to the Request for Proposal.

3. Miscellaneous.

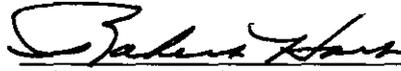
A. Mr. Poolman reviewed the proposed move of the Juvenile Probation Department to the area previously occupied by the Community Action Agency.

B. Mr. Poolman discussed the reduction of truancy filings within the County and the desire of the Department to continue with the services of a truancy intervention specialist, funded partially by the school districts. He indicated that the school districts are very thankful for this program. The Board indicated their desire to continue with this program.

ADJOURNMENT.

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

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**



Robert Hart, Chairman



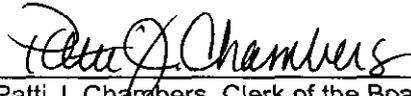
Ted W. Anderson, Commissioner



Harvey Wolden, Commissioner



ATTEST:



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