

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
Tuesday, July 13, 1999**

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.
9:00 a.m. – 10:00 a.m.	<u>Public Works Department – Chal Martin, Director.</u> <ol style="list-style-type: none">1) Introduction of New Employees.2) Signature – Change Order No. 3 – 1998 Asphalt Overlays; Lakeside Industries.3) Discussion and Recommendation – Solid Waste Remote Sites.4) Miscellaneous.
10:00 a.m. – 11:00 a.m.	<u>Planning & Permit Center – Tom Karsh, Director.</u> <ol style="list-style-type: none">1) Discussion and Possible Adoption of a Work Program for Pending Growth Management Act (GMA) Compliance Issues.2) Miscellaneous.
11:00 a.m. – Noon	Work Session – Personnel Budget Issues.
3:00 p.m. – 4:00 p.m.	Work Session – Six-Year Transportation Improvement Program (2000-2005).

The Skagit County Board of Commissioners met in regular session on Tuesday, July 13, 1999, with Commissioners Ted W. Anderson, Harvey Wolden and Robert Hart present.

PUBLIC WORKS DEPARTMENT – Chal Martin, Director.

1. Introduction of New Employees.

Robin LaRue, Solid Waste Division Manager, introduced Laura Kahn, new Litter Crew Supervisor.

Steve Flude, Assistant County Engineer, introduce Forrest Jones, Traffic Engineering Technician III.

2. Signature – Change Order No. 3 – 1998 Asphalt Overlays; Lakeside Industries.

Chal Martin, Director, explained the need for Change Order No. 3 regarding the 1998 Asphalt Overlay project. He stated that the change order is due to costs required to repair the roadway and shoulder on Higgins Airport Way totaling \$58,400. A discussion ensued on the possibility of recovering some of this cost from the Port of Skagit County as the damage to the road was caused by work done by the Port. Mr. Martin emphasized that the County needs to pay Lakeside Industries, with the possibility of conversations with the Port for the recovery of the monies to follow.

Chairman Anderson expressed the need to develop a policy when people work within road right-of-way or adjacent to County Road as to responsibilities to return the road to its original condition.

Commissioner Hart indicated that the Port needs to be made aware of the expenses paid by the County due to their abuse of the roadway. Mr. Martin indicated that he would send the Port a letter advising them of the monies expended by the County on the Port's behalf.

Commissioner Hart moved to approve Change Order No. 3 as presented by the Public Works Department. Commissioner Wolden seconded the motion.

Chairman Anderson stated that anytime we have this type of change order, he would like the Department to advise the Commissioners of such expenditure due to damage caused by another entity. The Board directed Mr. Martin to send a letter to the Port advising them of this situation.

Upon call for the question, the motion passed with a unanimous vote. (**Resolution No. 17508; Contract No.03958**)

3. Discussion and Recommendation – Solid Waste Remote Sites.

Robin LaRue, Solid Waste Division Manager, reviewed the operational aspects of the solid waste remote sites (Alger, Birdsvie, Clear Lake and Conway Compactors and the Sauk Transfer Station). He reviewed the history of these solid waste facilities, together with operation information including staffing, fees, and hours of operation. He detailed the condition of equipment at each site, noting that the Alger, Birdsvie, Conway and Clear Lake sites are using the original equipment installed in the 1970's. Consequently, such equipment is in need of improvements estimated at \$25,000 at each site. He stated that actual costs are exceeding revenue with an overall loss of \$203,487 over the entire solid waste system.

He reviewed options to reduce expenditures, including modifying operation hours at Clear Lake, Alger, Birdsvie and Conway. Another option is to close Alger, Birdsvie and Conway, directing the affected citizens to utilize the services of Rural Skagit, or self-haul to the Transfer Station or Clear Lake sites.

Commissioner Anderson stated that he wouldn't mind closing the Alger and Birdsvie sites, but would want to keep the Clear Lake site open.

Commissioner Hart agreed that there is no justification for keeping the Alger, Birdsvie and Conway sites open when there is the cheaper option of having Rural Sanitation serve individuals in these areas.

Mr. LaRue stated that these closures would be phased in to give folks plenty of time to go with Rural Skagit or haul to other sites.

After a brief discussion, Mr. LaRue stated that he would propose closing the Alger, Birdsvie and Conway sites effective October 1, 1999. He indicated that the Sauk Transfer Station and Clear Lake site would remain open with some minor modifications to the operation schedule.

4. Miscellaneous.

A. Mr. Flude presented a Cook Road Summary of Offer consisting of 5 offers totaling over \$45,000. He stated that these are all appraised parcels. Commissioner Wolden moved to approve the Summary of Offers and Commissioner Hart seconded the motion. The motion passed with a unanimous vote. (**Approved**)

B. Sky Miller, Surface Water Manager Division, reviewed the 1999 culvert construction program, which consists of five culverts totaling \$1.2 million, with construction funding likely coming from the Legislature with road fund back-up. He indicated that grant funds have been applied for to replace the road fund monies. The Board indicated their concurrence to proceed with these projects. The Board suggested issuing a press release in this regard.

C. Mr. Miller next discussed the recent bid results regarding the Miller Creek project. The apparent low bidder, Harkness Construction, made a mistake in their bid and would like it removed from

consideration. Mr. Miller recommended going with the next lowest bidder, Paragon Construction, whose bid was within 10% of the low bidder. The Board indicated their concurrence.

- D. Mr. Miller commented briefly on the project at Brickyard Creek near the Gateway Golf Course, noting that Gateway is contributing to this project as well as the Fisheries Enhancement Group.
- E. Mr. Martin stated that he received a letter from Jon Aarstad, Burlington City Administrator, requesting assistance from the County as part of the City's emergency management plan. The letter asked if the City could use as a back-up the County's fueling facility located within the City limits under an emergency situation. The Board indicated their approval to enter into negotiations for an interlocal agreement in this regard.

PLANNING & PERMIT CENTER – Tom Karsh, Director.

1. Discussion and Possible Adoption of a Work Program for Pending Growth Management Act (GMA) Compliance Issues.

Tom Karsh, Director, reviewed the need to discuss a work program for pending Growth Management Act (GMA) compliance issues. He noted three issues of high importance including the Commercial/Industrial Uses Outside of Rural Villages and Urban Growth Areas, Mineral Resource Overlay, and Critical Area Ordinance. This program also includes the Development Code and other compliance issues.

Gary Christensen, Assistant Director, stated that according to the recently signed Stipulated Agreement with Friends of Skagit County ("Friends"), this work schedule must be adopted by Wednesday, July 14. He apologized for bringing this forward so late, and offered to give the Board until Wednesday morning to scrutinize the document. He indicated that much of the work listed is the result of Hearings Board cases and that the timelines have been predetermined by the Stipulated Agreement.

Mr. Christensen proceeded to review the specific items listed on the proposed Work Program item-by-item.

Mr. Christensen noted that this Work Program would take approximately 18 months to complete, and that the Stipulated Agreement allows the County three years to complete the tasks contained therein.

The Board indicated their displeasure in the last-minute presentation of this Work Program.

Commissioner Hart commented that Work Programs have been put together before and have never been met.

Commissioner Anderson reminded the Department that there would be appeals along the course of the Work Program, as the County had been promised by individuals during public comment period.

Mr. Karsh advised that nothing on this list had not been discussed previously with the Board. He reviewed the various options available to the Board and discussed the rulings of the Western Washington Growth Management Hearings Board (WWGMHB)

Commissioner Wolden suggested hiring a consultant to complete much of the work on the Work Program.

Mr. Karsh stated that the Department would be happy to outsource much of the Work Program.

Commissioner Wolden moved to approve the Work Program with the stipulation that the Work Program become part of a request for proposals to get a consultant on board.

Commissioner Wolden's motion died for lack of a second.

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Messrs. Karsh and Christensen advised that they would make some minor modifications to the Work Program document and would come back later in the day for final approval.

The Department came back at 4:00 p.m. to present the Board with a final Work Program. Mr. Karsh presented the Board with a final Work Program and discussed minor changes.

Mr. Christensen reviewed the change regarding the Big Lake Urban Growth Area. The words "rural reserve" were removed as requested by the Board. He reviewed the additional of Item 6, which added a Drainage and Land Disturbance Ordinance to be adopted by August 30, 1999. He explained that this interim ordinance would address surface water run-off, sedimentation, erosion control, and critical area protection.

Mr. Christensen noted that Item 14, Coordinated Water System Plan, had an added sentence stating "Adopt definition of urban and rural water service so that urban is prohibited outside of UGA." Mr. Christensen stated that it is difficult to establish a certain diameter pipe as the means of determining urban or rural, and that there needs to be other criteria developed. A discussion ensued in this regard.

Mr. Christensen also reviewed the addition of No. 19, "Amend Comprehensive Plan to assure consistency with capital facilities plans," and No. 20, Bayview Ridge, UGA, with a June 1, 2001 date to complete the subarea plan with implementing development regulations.

Commissioner Wolden moved for approval of the Work Plan as presented by and discussed with Mr. Christensen. Commissioner Hart seconded the motion. Commissioners Hart and Wolden voted for the motion, and Commissioner Anderson voted against the motion. The motion passed. **(Contract No. 04468)**

2. Miscellaneous.

There were no miscellaneous items for discussion.

ADJOURNMENT.

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

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Ted W. Anderson, Chairman

Harvey Wolden

Harvey Wolden, Commissioner

Robert Hart

Robert Hart, Commissioner



ATTEST:



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