

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
Tuesday, December 28, 1999**

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| 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) Signature – Resolution Adopting the 2000 Annual Construction Program.2) Submittal – 2000 Bituminous Surface Treatment (BST) Paving Program.3) Discussion and Signature – Professional Services Agreement with Skagit Selective Logging.4) Discussion – Samish River Flood Event, December 15-18, 1999.5) Miscellaneous. |
| *T 10:00 a.m. – 11:00 a.m. | <u>Planning & Permit Center – Tom Karsh, Director.</u> <ol style="list-style-type: none">1) Discussion - Seminar that County Planners attended regarding Major Land Use Laws in Washington.2) Discussion - Training Day held at the Planning & Permit Center on December 15, 1999.3) Miscellaneous. |
| 11:00 a.m. – 11:30 a.m. | Consideration of the Hearing Examiner's Recommendation for Approval of an Agricultural Variance for Michael and Jeannie Youngquist, for property located west and north of 1447 Jungquist Road, Mount Vernon. |

The Skagit County Board of Commissioners met in regular session on Tuesday, December 28, 1999, with Commissioners Ted W. Anderson, Harvey Wolden and Robert Hart present..

PUBLIC WORKS DEPARTMENT – Chal Martin, Director.

1. Signature – Resolution Adopting the 2000 Annual Construction Program.

Steve Flude, Assistant County Engineer, presented a Resolution to the Board for their consideration adopting the 2000 Annual Construction Program.

After a brief discussion, Commissioner Hart moved to approve the adoption of the 2000 Annual Construction Program. Commissioner Wolden seconded the motion, which passed unanimously. **(Resolution No. 17707)**

2. Submittal – 2000 Bituminous Surface Treatment (BST) Paving Program.

Mr. Flude presented a list of the 2000 BST Paving Program projects that will be submitted to the County Road Administration Board. He advised that the list was put together with the assistance of the County Road Supervisors. There are approximately 98 miles planned for next year.

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3. Discussion and Signature – Professional Services Agreement with Skagit Selective Logging.

Sky Miller, Surface Water Management Division, discussed his plan to collect “trouble trees” that are removed from County rights-of-way and re-use in salmon restoration projects. He explained that Selective Logging would be used when the County's own forces could not remove such trees due to close proximity to buildings or other negative factors. He commented on the need to stockpile these types of trees for use throughout the year on various projects.

Chairman Anderson indicated that his reason for questioning this contract was the possibility for swapping out more valuable trees for several less valuable trees that would be adequate for the fish passage projects and would therefore generate more usable logs.

A discussion ensued among the Board members regarding log quality and availability.

Commissioner Wolden moved for approval of the Skagit Selective Logging contract for a period of two years at a not-to-exceed amount of \$24,999. The motion was seconded by Commissioner Hart and passed with a unanimous vote. **(Contract No. 04702)**

4. Discussion – Samish River Flood Event, December 15-18, 1999.

Sky Miller, Surface Water Management Division, gave an overview of the Samish River Flood Event. He detailed the history of the culverts that were installed and the resultant problems, which occurred during December 15-18, 1999. Mr. Miller explained that the culverts were not put in deep enough and did not have enough fill dirt spread on top of them. Dike District 25 has the responsibility for emergency response in the area of the break, with from assistance garnered from the County's Public Works and Emergency Management Departments. He stated that additional assistance was also received from other groups in the community including Burlington-Edison High School students and young members of the Civil Air Patrol. Mr. Miller displayed pictures of the work done by the sandbagging teams. He detailed the protection that was done to make sure that the dike lasts through the winter months.

Mr. Miller next discussed the long-term fix for this area of dike, as worked out with Dike District No. 25. He indicated that the culverts should be relocated and buried deeper. He recommended a continued partnership with Dike District No. 25, Public Works, and the State Department of Ecology (DOE). He informed the Board that DOE has said that the project should qualify for federally competitive funds to assist with the repair efforts. Mr. Miller discussed some of the parameters of the possible funding.

Commissioner Wolden commented on the lack of a centralized “go-to” person during this flood event. He stated that the entire event was mismanaged and out of control. He spoke to the lack of communication with the dike district involved, and the lack of commitment by County forces to let the dike district know the County would assist and participate financially. He further questioned the culvert installations and directed the Public Works Department to contact the engineer, CH2M Hill, to find out if they received input from the Dike District regarding the location of the subject culverts.

Commissioner Hart expressed his concern about systematic controls, and the lack of a central operation during this event and the Veteran's Day event. He also questioned whether Staff is getting trained in coordinating and dealing with these types of situations. He noted that there was not a central command or someone with long-term flood fighting experience available as a contact person. He commented on the ridiculous installation of the subject culverts, noting that the permitting process certainly missed the boat, stating that it was not a matter of if it would fail, but when it would fail. Commissioner Hart stated that he had concerns about the interaction with the dike district, emergency management, and the sheriff. He stated that the level of performance was not acceptable, reiterating that a central command post is essential in a flood event.

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Chairman Anderson reviewed previous flood fight activities, and indicated that the Department has taken a huge step backwards. He stated that the information that came to the Commissioners came in leaps and sputters. He indicated that communication was much better when Dave Brookings, Public Works Administrator, was in charge of Surface Water Management, as he kept the Board informed. He stated that if a situation arises on the Skagit River and the response is of the same caliber, the County would be in trouble. He indicated that something definitely needs to be fixed.

Commissioner Wolden indicated that the one thing we need to stress is a command center. He reviewed the importance of a centralized source for communications and decisions. He commented that these past two events were good experiences, and that a better response to such situations needs to be addressed.

Mr. Miller stated that it had been decided not to set up the Emergency Operations Center since the river was receding. He stated that he felt it was appropriate to deploy the sector people to work in coordination with the Public Works Department. He explained that a flood plan for the Samish River had been developed, which allows for this type of flooding into the fields, waiting for the waters to recede with the assistance of culverts.

Commissioner Hart stated that the front desk person at Public Works should know exactly who is the point person and how to contact them. There definitely was a breakdown in communication, not only with the Commissioners, but with the Sheriff, Emergency Management, and the Dike District. He stressed the need to set up a contact person who can make a decision when one is required.

Dave Brookings, Public Works Administrator, stated that these last two weeks have been great educational activities for the Department, while also being frustrating. He indicated that the November 11 event showed the need for improved communications. He spoke regarding the debriefing sessions that were held after the November 11 event, stressing the need for such improved communications. He gave examples of individuals and their activities during this last flood event. He commented on the need to have more interaction between himself and Sky Miller to avoid the communication problems referenced by the Board.

Chairman Anderson reiterated that he received no information regarding the flood event. He stated that the performance December 15-18 was worse than the previous event. He commented further on the lack of communication that occurred.

Mr. Brookings spoke regarding the particulars of this past flood event, and the specific problems associated with the flooding of the Samish River.

Commissioner Hart stressed the need to communicate and make quick decisions so that those involved can move forward.

A discussion ensued regarding the work done by CH2M Hill and the inherent difficulties of the Samish River, including tidal action and dike protection.

Mr. Miller stated that there were several contributing factors, and that the County is often not able to assist with engineering because of the timeline with the Dike Districts. He indicated the need to do better in the future. He stated that he has personally been involved with 21 dike breaks, and such breaks cannot be plugged before the river recedes.

Chal Martin, Public Works Department Director, indicated that he takes responsibility for the whole response, and has heard loud and clear about the lack of communication. He stated that in retrospect, he should have opened the Emergency Operations Center. He indicated that the communications problems were worse during this event than during the previous event.

Commissioner Hart stated that the Board's message is to analyze the system and find out where we failed this time, and to get a system in place that will work the next time.

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5. Miscellaneous.

There were no miscellaneous items for discussion.

Commissioner Anderson was absent from this point in the proceedings.

PLANNING & PERMIT CENTER – Tom Karsh, Director.

1. Discussion – Seminar that County Planners attended regarding Major Land Use Laws in Washington.

Tom Karsh, Director, reviewed the major topics of a seminar that County Planners attended on December 15, 1999 regarding major land use laws in Washington State. The seminar provided practical solutions to the problems that current environmental and land use regulations create in the transfer, development and financing of commercial, industrial and residential real estate. He stated that the seminar was put on primarily for the legal professional, but that many government officials and private individuals were in attendance. He reviewed some of the specific topics discussed by the presenters.

Gary Christensen, Assistant Director, stated that these opportunities afford the County and Department Staff some exposure to some of these evolving and changing land use laws, court cases and regulatory framework. He spoke to the professional enrichment gained by those attending.

2. Discussion – Training Day held at the Planning & Permit Center on December 15, 1999.

Corey Schmidt, Assistant Director and Building Official, thanked the Board for allowing the Department to close the front counter to allow for a review of the Department's Customer Service Programs. He discussed specific ideas that were generated from this session and the future plans for the Department to improve customer service.

Mr. Schmidt stated that two things that are being done immediately. The first is the reinventing of the Department's records management plan, and the second is the implementation of a "gatekeeper" concept at the front counter. He reviewed the specific plans for each of these target concerns.

3. Miscellaneous.

A. Mr. Karsh presented the Board with three volumes of written correspondence on Skagit County's Proposal to Address Growth Management Act Compliance Issues. He advised that deliberations would begin on January 4 with the Planning Commission. He stated that the ultimate goal is to bring these matters before the Board in early Spring.

B. Mr. Karsh next reviewed a proposed Ordinance regarding Skagit County Code sections .095 and .096 of the Critical Areas Ordinance. He indicated that there are several additional findings in the body of the Ordinance that the Board would need to review. After a brief perusal of the Ordinance, it was decided to provide the Board with copies for their review and place this Ordinance on the Consent Agenda for approval next week.

CONSIDERATION OF THE HEARING EXAMINER'S RECOMMENDATION FOR APPROVAL OF AN AGRICULTURAL VARIANCE FOR MICHAEL AND JEANNIE YOUNGQUIST, FOR PROPERTY LOCATED WEST AND NORTH OF 1447 JUNGQUIST ROAD, MOUNT VERNON.

Brandon Black, Assistant Planner, briefly reviewed the exact location of the subject property.

Commissioner Wolden moved for approval of the Hearing Examiner's Recommendation for Approval of an Agricultural Variance for Michael and Jeannie Youngquist, for property located west and north of 1447 Jungquist Road, Mount Vernon. Commissioner Hart seconded the motion, and it carried with a unanimous vote.

(Resolution No. 17708)

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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, December 28, 1999, 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 60614 through 60755 from Clearing Fund 696 in the total dollar amount of \$592,280.93 (Transmittal No. C-94-99).

2. Chris Stamey, Budget/Finance Department, reviewed a Resolution establishing the Cost Assessment Policy. Mr. Stamey explained the methods used to split out the insurance cost assessments. He reviewed a detailed list of the items affected by this Resolution. Commissioner Wolden moved for approval of the Resolution as presented by Mr. Stamey. Commissioner Hart seconded the motion, which passed with a unanimous vote. **(Resolution No. 17709)**
3. Alicia Huschka, Budget Director, presented the Board with a Resolution modifying the 2000 property tax levy for the Skagit County Road fund. She explained that the road levy was set on November 29, but the cost of traffic enforcement was inadvertently not included in the original resolution. Commissioner Wolden moved to approve the Resolution as presented by Ms. Huschka, and Commissioner Hart seconded the motion. The motion passed unanimously. **(Resolution No. 17710)**
4. Ms. Huschka presented a Resolution Authorizing a Budget Line Item Change, explaining that the budget would not increase, but that \$150,000 would be moved because the cost of insurance for 1999 was higher than originally anticipated. She stated that a further analysis would be prepared to better explain the reason for the increase. Commissioner Wolden moved to approve the Resolution as presented by Ms. Huschka. Commissioner Hart seconded the motion and it carried with a unanimous vote. **(Resolution No. 17711)**
5. Stephanie Wood, Personnel Director, presented a Settlement Agreement with the American Federation of State, County and Municipal Employees (AFSCME) on behalf of employee Janice Scott. After a brief discussion on the details of the agreement, Commissioner Wolden moved to approve the Settlement Agreement as presented by Ms. Wood. Commissioner Hart seconded the motion, which carried unanimously. **(Contract No. 04703)**
6. Staff presented an Interlocal Cooperative Purchasing Agreement with the City of Olympia regarding the purchase of a telephone system for County facilities. It was explained that the County could utilize the Request for Proposals and low bid for the identical equipment desired for the County and purchased by the City of Olympia. Commissioner Hart moved to approve the Interlocal Cooperative Purchasing Agreement as presented by Staff. Commissioner Wolden seconded the motion, which passed with a unanimous vote. **(Contract No. 04704)**

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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, Commissioner

Robert Hart, Commissioner

ATTEST:

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