

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
Tuesday, April 10, 2001**

- *T 9:00 a.m. – 10:00 a.m. Board of Health – Peter Browning, Director.
1) Discussion – Web Week.
2) Local Measles Outbreak Wrap-Up.
3) Similk Beach Update.
4) Discussion – DSHS/Department of Health Passport Program.
5) Miscellaneous.
- 10:00 a.m. – 10:30 a.m. Parks Projects Update.
- 10:30 a.m. – 11:00 a.m. Facilities Projects Update.
- *T 11:00 a.m. – Noon Discussion and Possible Action – West Bow Hill Road Project.

The Skagit County Commissioners met in regular session on Tuesday, April 10, 2001, with Commissioners Don Munks and Kenneth A. Dahlstedt present. Commissioner Ted W. Anderson's absence was excused.

BOARD OF HEALTH.

1. Discussion – Web Week.

Peter Browning, Director, explained that the Department realized that their Website was not as good as they would like, so they designated last week as "Web Week" in the Health Department. Staff met to provide input and conveyed the results of that meeting to the Information Services Department. The belief is that the new information contained on the website will be fully-functioning, with the goal to focus on the Department's clients. Mr. Browning indicated that quarterly awards would be made to the division that best improves their website.

2. Local Measles Outbreak Wrap-Up.

Sandy Paciotti, Communicable Disease Supervisor, stated that she hoped this report would be the final wrap-up on the local measles outbreak situation. She reported that measles is a highly contagious respiratory virus that is spread very easily by coughing and sneezing the infected droplets into the air, by contaminated objects and by direct contact with nasal and throat secretions of infected persons. She reviewed the specific symptoms of the disease. She reviewed the particulars of diagnosing and testing for the disease, together with the complications that can occur. Ms. Paciotti indicated that this year there have been 15 cases of measles diagnosed in Washington State, i.e., 12 in King County, 1 in Southwest Washington, and 2 on Camano Island. She stated that Skagit County had measles exposure at a local medical clinic, and the Department has investigated 5 incidences of rash illness in the last month, which were all negative to measles. She stated that, as a result, the Department has heightened their recommendations for proof of immunity for both health care workers and school personnel to assure protection against measles. She reviewed the parameters for such recommendations. She reported that an outbreak in Skagit County would be considered to be 2 to 4 cases. She stated that the goal is to be proactive in protecting our community and preventing the spread of a vaccine preventable disease.

Mr. Browning stated that he had met with school superintendents and they were thankful for the prompt action of Ms. Pacciotti and her staff, together with the County's Health Officer, Dr. Howard Leibrand.

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3. Similk Beach Update.

Corrine Story, Environmental Health Specialist, reported that a letter was sent out last week to affected community members giving an update of the Similk Beach septic/sewer project. She stated that the Department is working with a community core group in this regard.

Wade Bessett, Environmental Health Specialist, advised that he has been performing dye tests as part of the sanitary system review. He explained that the sanitary survey starts with an interview with the homeowner on how their system functions and operates. He reported that out of 83 houses, 53 dye tests have been completed, for 64% of the project. He stated that most of those not completed are seasonally occupied. He reviewed the exact location of the testing areas. Mr. Bessett stated that failures are obvious within a short period of time due to the poor soils in the area. He reviewed the specifics of the areas being tested and the results achieved, stating that overall there is a 59% failure rate on the project.

Commissioner Munks asked if there was any correlation for failures between new homes and older homes. Mr. Bessett responded that there is no difference, and that all septic systems in the area are prone to failure due to poor soils and small lot sizes.

Ms. Story reiterated that there is a fatal combination of poor soils and small lots and does not matter whether there is a new or old septic system. She spoke to the high percentage of failures in the area. Ms. Story reported that the community core group has been working with Skagit Public Utility District No. 1 (PUD) to come up with the possible formulation of an LUD. She stated that a majority of residents are interested in working with PUD in this regard. In addition, PUD has done a lot of work with consultants to formulate as many solutions as possible. Funding sources are also being pursued through PUD. This core group has also assisted in getting consent forms submitted for the necessary dye testing. Ms. Story expressed her appreciation to this community core group.

Ms. Story stated that there is also a growth issue as this area is outside of an urban growth area, and the provision of sewer would be extending urban services beyond the boundaries of an urban growth area.

Ken Willis, Environmental Health Supervisor, concurred with Ms. Story that throughout this entire process from the initial meetings through all of the intrusion of dye testing, the Department has had excellent cooperation with the community. He stated that the community has seen that by working together and seeing the big picture, they can achieve a solution to their sewage problems. He commented on the extension of sewer beyond the urban growth boundary, and the need to be growth neutral. He explained that the sewer could not be used as a vehicle for growth that would not have occurred without sewer. In this regard, one of the questions relates to the vacant lots in the area and the needed determination of which lots are buildable and which are not. If there is to be a community solution, the property owners must divide the cost as to the number of land owners to split the capital costs. Mr. Willis stressed the need to adhere to a growth neutrality schema and site-specific criteria. This could mean serious economic implications for property owners.

Mr. Willis advised that the County's Unified Development Code (UDC) sections are under appeal, and could be tied up in court for quite some time. The Sewage Code seems well suited to providing a mechanism for such determination since it contains a section regarding "Areas of Special Concern." Mr. Willis believed that because of the high failure rate, Similk Beach would qualify as an "Area of Special Concern." He indicated that the Board of Health can form such an Area. He suggested that the Department set up a work session to discuss this issue and how forming such an area would affect the stakeholders. He stated that the formation of the Area of Special Concern would need to follow a public hearing process, so the entire citizenry would have an opportunity to provide input, and the issue of buildable lots would become clear.

Ms. Story reported that the dye testing would not be totally complete until July due to seasonal occupancy. She stated that the Final Report would be completed in late July or the first part of August.

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At that time, PUD would be hosting a meeting with all community concerns being addressed, and a decision made how to proceed. She stated that the Department continues to move forward and will deal with hurdles as they come up.

4. Discussion – DSHS/Department of Health Passport Program.

Margaret Eisenhardt, Public Health Nurse, discussed the Passport Program through the Department of Social & Health Services (DSHS) to benefit foster children. She stated that she tries to identify the problems of children in foster care to enable them to receive the care that they require together with every educational benefit. She reported that children in foster care do not always have a well-documented health history, and she pursues birth records and other health records. She creates a "Passport" that contains all of this vital information, noting potential problems that may have been overlooked in the past. Nurse Eisenhardt then makes recommendations to the social worker, who follows up, giving copies as needed to the foster caregiver. This information can be useful for the foster child's school as well. The "Passport" also includes a family history containing congenital and family conditions that might not have otherwise been discovered. She stated that she enjoys working with other members of the community including the social workers and physicians. She reported that she is currently working with 90 children in the County.

5. Miscellaneous.

Mr. Browning discussed the changes in the operation of the dental van, with the Skagit County Community Action Agency taking over most functions pertinent thereto. Kim Van Epps of the County Health Department will remain in her capacity on the Dental Advisory Board. He added that United Way funds this worthwhile program.

Mr. Browning advised the Board that an Interlocal Agreement would be forthcoming with Whatcom, Snohomish and Island Counties regarding the exchange of health officers if an emergency should occur and the County's own health officer was not available.

PARKS PROJECTS UPDATE.

Bob Vaux, Interim Director, introduced the proposal for a Skagit Valley Recreation Center that both Parks Staff and the Parks Advisory Board have been investigating. A private citizen, Mike Fohn, has brought this unique opportunity forward to the Department for consideration. Mr. Vaux indicated that the Department is cautiously optimistic as there are many challenges to overcome, but that the public/private partnership proposed could benefit the entire County. Mr. Vaux introduced Mr. Fohn to the Board.

Mr. Vaux also introduced Randy Rabenstein of the YMCA, who has been active in attending meetings concerning this exciting potential for recreation opportunities for the communities in Skagit County.

Mr. Fohn introduced Mike Rutherford of Crest Construction, the company who had come up with the initial design for the facility.

Mr. Fohn explained that the proposal is to design and build a 46,000 square foot steel building for use by Skagit County Parks & Recreation for basketball and other activities. He stated that the building would be almost as big as a football field, and would be built in Burlington. He reported that Spring Meadows LLC, a company he owns, would own the land and building and lease the facilities to Skagit County on a 10-year lease, with an option to buy if this proved to be the right type of facility for Skagit County. Skagit County Parks & Recreation would own all of the equipment and furnishings, including the wood floor, office equipment, and any sports equipment. He estimated that the current monthly lease would be \$25,000 per month. He reviewed the particulars of the lease, noting that it is set at a competitive commercial rate. The preliminary design includes three regulation high school basketball/volleyball courts, with the remaining 15,000 square feet scheduled for a non-wood floor area for tennis, grade

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school or high school basketball courts, or an arts and crafts activity area. He advised that many other events could be held at this facility, including the annual Halloween Haunted House and other such functions. In addition, there would be an area set aside for restrooms and/or locker rooms, with the added possibility of office space to house 30 employees on the second floor.

Mr. Fohn stated that the primary focus of this facility is to be a participants' facility, with few or no spectators accommodated. He indicated that this facility is for the kids who are not the stars of the local sports programs, and a spectator area takes away from programming space and increases parking requirements. He explained that parking requirements are driven by each 18" of bleachers or seats. The current proposed site plan has 113 parking stalls on site, which would allow 339 people to be in the building. Cross-parking agreements may be possible with K-Mart, who has in excess of 200 parking stalls that are not used for their shopping center. He stated that estimated uses of the facility could have 140 people playing volleyball or basketball at one time, and that 1,000 basketball players could be run through the facility in a day.

Mr. Fohn stated that other programming space could be provided for a variety of opportunities including partnering with each City, the YMCA and Skagit Valley College.

The preliminary timeline is to have the building design agreed upon between the County and Mr. Fohn by May 1st, with a lease entered into by June 1, and construction scheduled to begin July 1. He suggested that it would be great to have everything completed by the end of the year, and to present the keys to Mr. Vaux at midnight on New Year's Eve.

Mr. Fohn cautioned against "project creep" – the tendency to include more things that originally identified. He spoke to such items as a commercial kitchen, which would enhance the viability of rental options, an elevator to make the second floor accessible to all citizens, and the resultant occupancy rating which would require increased parking.

Mr. Fohn expressed that he hoped that this proposal is a good solution for the County, and that the County would ultimately own this facility. He advised the Board to rent before they own to make sure that the facility is right for the County. He suggested putting this project ahead of others to take advantage of the private/public partnership, with the incentive of private cash. He spoke to the risks of funding without this partnership, including capital construction costs and operating budget funding.

Mr. Fohn suggested rough figures in order to fund the project wherein the County would need to derive \$1 - \$2 per activity participate per hour from November 15 through March. He stated that the facility could be open 10 hours per day. He indicated that how the County chooses to price the different activities would determine the resultant revenue.

Mr. Fohn next reviewed the costs of the capital construction, advising that the Parks Department would need to generate 20% of the cost of the facility, for a total cost of \$3,000,000 to \$3,500,000. Equipment is estimated to cost between \$400,000 and \$600,000. He suggested that advertising licenses could be sold to cut that number in half, so it would mean that the County would need to fund approximately \$325,000. He discussed various options for licensing opportunities. He stated that his proposal includes selling 60 of those billboard licenses, and that there is room for 100 in the building. He stated that he could collect commitments for 20 businesses today at the \$3,000 level.

Mr. Fohn next discussed the cost of the courts, which are priced at \$25,000 each, and may be able to have local businesses commit to buying the courts, with identifying logos and corporate colors. He indicated that he had had informal conversations with Bank of America, Skagit State Bank, and the Washington Dairy Commission in this regard. There is also the possibility of naming the building for another \$100,000 contribution. He stated that local Rotary Clubs might undertake this part of the funding.

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On the operating side, because it is a public/private partnership, the County would need to make the \$25,000 lease payment, and so would need to identify a funding source for that lease payment. Activity and program pricing would need to be adjusted to assist. In addition, Mr. Fohn explained that general funding would be necessary, depending on how many participants there are. He reviewed the proposed funding from the General Fund, noting that \$100,000 would be required for Year 2002, \$125,000 in 2003, and \$150,000 in 2004. There would also need to be start-up funding to assist Parks & Recreation. Mr. Fohn indicated that Bob Vaux had received a letter from the Skagit Valley Community Foundation who are making available a matching grant of \$60,000 in 2002, \$40,000 in 2003, and \$20,000 in 2004. The County would have to make a general fund allocation for similar amounts. The estimated revenues for the first three years were reviewed. The budget was proposed to show a small profit.

In summary, Mr. Fohn indicated that the total County funds necessary would be \$825,000 over the next three-year period. He reviewed the matching funds that would be received. He emphasized that the County would be receiving almost \$500,000 in private money, which would mean that the private sector is matching 55 cents to every \$1 spent by the County. He added that if the County turns down this opportunity, it would be turning down \$500,000 in donations primarily for the County's youth.

Mr. Fohn asked the Board to direct Staff to develop a definitive capital and operating budget within the next 30 days, noting the need to move with speed so that the facility could be available in 2002. He stressed the need for direction from the top as to whether the County should expend the time and energy necessary for this project.

Commissioner Munks advised that the County's Finance Director, Alicia Huschka, was present and would need to review the feasibility of obtaining funds for this project.

Ms. Huschka stated that this is an exciting opportunity to consider a recreation facility, which has been in the Parks Comprehensive Plan for many years. However, there are issues that need to be addressed. She stated that Mr. Fohn had discussed a very aggressive timeline, and the County would need to add 30-60 days in order to be prudent in the County's approach. She discussed the need to look at capital funding and the proposed option to purchase. She stated that the option to purchase would be a critical component of the lease agreement. Additionally, if the County puts \$3,000,000 into the building over ten years, it is possible that the County could have built its own building for that amount. Consequently, the option to purchase would be critical.

Ms. Huschka indicated that the capital financing is more achievable for the County than the necessary operating revenue. She advised the Board that they would need to tap the real estate excise tax money for this type of capital financing, and that such funding would only be possible if the Board decided to take the second quarter of a percent of such funding, which would generate about \$550,000, depending on the real estate market. She stated that the tougher nut to crack is the operating financing, and that it was her estimation that the commitment from the general fund would be around \$200,000 per year. She noted the need to consider how this would impact other items to be considered in the 2002 budget. She indicated that some aggressive analysis needs to be done on behalf of the County. She suggested that the County would need at least 30 days to analyze the information given at today's presentation.

Commissioner Dahlstedt stated that this sounds like a worthwhile project, but expressed the difficulty of obtaining funding following the challenges of backfilling for the loss of I-695 funding. He emphasized that projects for kids are very important, and that he is enthusiastic for such public/private partnerships.

Commissioner Munks indicated that such cooperative agreements between the private sector and the public are very encouraging. However, he stated that the disappointing part of being a Commissioner is finding out how slow things must move in the government arena. He indicated that he felt the County should proceed at analyzing the proposal brought forward by Mr. Fohn as this represents a tremendous opportunity for improved youth programs.

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Ms. Huschka reiterated the need for the Board to think about the increase in the real estate excise tax funding as this project would not be available without this type of funding.

Mr. Vaux indicated that members of his Department have been very interested in working with Mr. Fohn to develop a viable project. He expressed his appreciation to Ms. Huschka for being available throughout this process to answer questions.

Mr. Munks expressed his appreciation to Mr. Fohn and the Parks & Recreation staff for their time and effort involved in developing this project.

Dennis Lind, Recreation Coordinator, reported that this project has to be more than just basketball courts, but must include the flexibility to offer volleyball, tennis, meeting space, office, space, and arts and crafts activities. All of such things need to be considered when coming up with a design concept and financial considerations. He stated that the proposal comes with a very "common sense" approach.

Commissioner Dahlstedt indicated that the biggest challenge would be to the Parks & Recreation Department to develop a realistic budget, and convince the Board that the cash flow would be adequate.

It was decided that Ms. Huschka would develop some preliminary numbers and that a report would be given at the next Parks Projects Update in approximately one month's time.

FACILITIES PROJECTS UPDATE.

Roger Howard, Facilities Director reviewed the following projects:

1. City of Mount Vernon's Multi-Modal Station. Mr. Howard reported that he recently had a meeting with the Mount Vernon City Engineer to discuss another proposal for the purchase of the County's parking lot. The City offered a 35-space property located at the base of the viaduct, and also a variance for the landscaping requirements in the existing Kincaid parking lot. This variance would allow for the provision of 12 additional spaces. In summary, the City is offering to provide 47 additional parking spaces, plus a cash contribution towards the demolition of the Masonic Building. Mr. Howard stated that this proposal does not make up for what the County would lose due to the construction of the multi-modal station. He stated that he left the meeting agreeing to disagree that this was a fair offer. The City Engineer indicated that he would go back and discuss this with Staff and others. Mr. Howard reiterated that this offer is not close to a fair offer to the County for the loss of 136 parking spaces.

Upon a question from Alicia Huschka, Finance Director, Mr. Howard advised that the City contribution towards the destruction of the Masonic Building was \$85,000.

Commissioner Munks asked about the City's code and the requirements for a certain number of parking spaces per business. Mr. Howard responded that the City had stated that they could not give the County any of their parking lots because it would cause a hardship to the local merchants. Commissioner Munks further commented that it is unrealistic for County employees to have to walk four blocks during inclement weather versus walking two blocks now.

2. Parks & Recreation Maintenance Shop. Mr. Howard reported that the Contractor has defaulted on the contract for this project. He indicated that he would approach their bonding company and has reviewed a course of action with the Civil Division of the Prosecutor's Office and the Risk Manager. He stated that the Contractor's obligation is to complete the project at the original price and to reimburse the County as a result of the default. He indicated that the resultant delay in project completion would push this into winter.

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3. Jail Laundry Room/Kitchen Alterations. Mr. Howard reported that Sheriff Goodman had received a \$200,000 grant for increasing the jail inmate capacity and partially pay for the laundry and kitchen improvements. He stated that he has met several times with the architect, mechanical and electrical engineers and would be preparing a contract to define the scope of the work to be performed.
4. 2nd Floor Administration Building - Treasurer's Office. Mr. Howard stated that the project is going quite well with a scheduled completion by the end of the month. The tentative move-in date is June 15, 16 and 17. The remodeling work includes the removal of interior walls; plaster ceiling, lighting and carpeting. New construction includes patching of walls adjacent to walls being removed, new acoustical ceiling, lighting, carpet and additional power/data/voice cabling.
5. 1st Floor Courthouse – Third Superior Courtroom. Mr. Howard advised that he had met with Mike Almvig of the Information Services Department to discuss the requirements for conduit for future high-tech, video or other sophisticated equipment that might be needed for the future to enable the better communication of cases to the jurors.

Upon query from Commissioner Munks, Mr. Howard reported that there was no earthquake damage to the Courthouse building. However, there is a beam under the building that had previously fractured that had not been noticed before. The Consultant believes that such crack should be repaired.

Mr. Howard further reported that he had met with the Law Library to discuss the impact of the jury room access through the Law Library. He has worked with her to re-arrange her front office space to assure more privacy once the remodel occurs. He indicated that he would also arrange to have the Law Library shelving secured for added safety should there be earthquakes in the future.

6. East County Community Resource Center at Concrete. Mr. Howard reviewed that Leonard, Boudinot & Skodje, Inc. Engineers & Land Surveyors had completed the boundary survey of the project property. Prior to authorizing the Architect to begin work, a property topography survey must be completed and submitted with the Environmental Assessment to the State Department of Fish & Wildlife. This pertains to the water drainage system that exists adjacent to the site in the Concrete Senior Center parking lot and the project's site surface water drainage impact on this existing system.
7. Public Works Department Road Oil Tank System Upgrade. Mr. Howard reported that this project is complete, and was done so on time and slightly under budget due to the net difference in minor changes and additional work.
8. Paint Buildings at Burlington Shop. Mr. Howard stated that he hoped to prepare bid documents for the painting of most of the existing buildings at the County Shop location prior to the end of 2001.
9. Humane Society Property Lease. Mr. Howard advised that the Humane Society Board had reviewed the draft lease, and intended to sign the lease at their Board Meeting of April 18.
9. Courtyard Parking Lot. Mr. Howard stated that Semrau Engineering had completed the construction documents and cost estimate for the parking lot. The proposed project includes removing the existing asphalt, the center curbs and the north and east sidewalks. He stated that new construction includes a new drainage system with new catch basins and pipe to the City's storm system in Third Street. The City has approved the design and construction drawings. Mr. Howard reported that the engineer's estimate for the project is \$210,475. He advised that he would submit a budget request for next year for the construction of the parking lot.

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10. Masonic Building. Mr. Howard stated that the members have held their last meeting in the building and will begin moving their personal property and furnishings over the next two weeks. The purchase agreement allows them to remove all contents and some architectural features of the building such as signs, bricks, casework, exterior stonework, etc. He advised that Precision Electronics and Cannon Realty would also be out of the building in the next two weeks. Mr. Howard stated that there is no money this year allocated for the demolition of the building, but bid documents and cost estimates would be prepared for the Board's future consideration.
11. Building Maintenance. Mr. Howard advised that there is a job posting for a Lead Custodian Supervisor/Staff Assistant, which closes April 11. Also, one of the custodians has resigned and her position will also be posted.

DISCUSSION AND POSSIBLE ACTION – WEST BOW HILL ROAD PROJECT.

Steve Flude, Public Works Assistant Director/Assistant County Engineer, reported on the results of the West Bow Hill Project public meeting held in February. He outlined the details of the proposed project, and presented to the Board a packet of collected comments from the meeting and the written comment period. He stated that comments were varied and ranged from not wanting the project done at all to requesting that a standard maintenance project be done to improve the road. He explained that there was no clear conclusion to be drawn from the collected comments.

Commissioner Munks stated that a majority of the people want the road fixed, but not to the point of allowing for an increase in speed or increased travel along the roadway.

Mr. Flude stated that the Department is ready, willing and able to respond to the Board's direction by either proceeding with the project or just performing a regular maintenance project.

Commissioner Munks indicated that he would like to discuss this matter with Commissioner Anderson before a final decision is made. He stated that the majority of the people want something very simple, and not the elaborate plan that was initially proposed.

Chal Martin, Public Works Department Director, discussed the parameters of a standard maintenance project, and the ability to bring back some shoulder width to alleviate concerns about the safety of children walking along the side of the road. He stated that is the direction that the Department is assuming the project is headed. He emphasized that the Department would like to know quickly so that the project can be completed fairly quickly.

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, April 10, 2001, the Board, by a majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

Payroll warrants numbered 72082 through 73161 in the total dollar amount of \$902,359.25 (Transmittal No. P-14-01).

ADJOURNMENT.

Commissioner Dahlstedt made a motion to adjourn the proceedings. Commissioner Munks seconded the motion and it passed unanimously.

BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON

Ted W. Anderson, Chairman

Kenneth A. Dahlstedt, Commissioner

Don Munks, Commissioner

ATTEST:

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