

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS**

Monday, June 8, 1992

9:00 a.m. - 9:30 a.m. Discussion - Skagit Council on Aging Disabled Transportation Funding.

9:30 a.m. - 10:00 a.m. 1) Approval - IAC Grant Project - Centennial Trail.
2) Approval - IAC Grant Project - Northern State Multi-Purpose Center.

10:00 a.m. - 11:00 a.m. Public Works Department - Rich Medved, Director:

- 1) Signature - Drainage Easement Agreement - Puget Power (Gibraltar Road).
- 2) Resolution - Writing Off Uncollectible Debts.
- 3) Signature - Agreement for Ash Sampling and Analysis Services with Materials Testing and Consulting, Inc.
- 4) Call for Public Hearing - Six Year Road Program.
- 5) Miscellaneous.

CONSENT AGENDA.

MISCELLANEOUS ITEMS.

1:30 p.m. - 2:00 p.m. Decision - Kendall Gentry Short Plat Application #90-055 - Chuckanut Drive and Sam Bell Road.

2:00 p.m. - 3:30 p.m. Planning Commission Recommendation - Comprehensive Planning Policies.

3:15 p.m. - 3:30 p.m. Discussion - New Building Construction - Roger Howard, Facilities Manager.

3:30 p.m. - 4:30 p.m. Executive Session - Litigation and Personnel.

The Skagit County Board of Commissioners met in regular session on Monday, June 8, 1992, with Commissioners Robby Robinson, Ruth Wylie and W. W. Vaux present.

DISCUSSION - SKAGIT COUNCIL ON AGING DISABLED TRANSPORTATION FUNDING.

Joann Angevine, Human Services Department Director, explained that since the Skagit Council on Aging (SCOA) returned their contracts for receipt of disabled transportation funding from Skagit County, there have been ongoing discussions between Bruce Coghill, SCOA Executive Director, and the Skagit County Disability Advisory Board regarding SCOA's funding. SCOA has attempted to tap other State and Federal funds to help support their program, with limited success, and a \$33,000 shortfall for SCOA is projected in 1992 by Mr. Coghill. Skagit County receives millage from the State to provide disabled transportation, and all of it is awarded to SCOA. Additionally, the County owns a 28 passenger bus that SCOA uses for disabled transportation provision. There hasn't been an increase in the base funding from the State for many years, except last year when Skagit County received an overage at the end of the year, all of which went to SCOA.

Mr. Coghill explained that at the end of 1991, SCOA had a \$2,000 shortfall. He stated that he does not want to have to deny services, but neither has SCOA been able to advertise and promote their services. Reimbursable funds are now available through Medicaid, and they have relieved some of the pressure felt by SCOA. Increases in the costs of fuel, maintenance, insurance, as well as an increase in use, will contribute to the 1992 shortfall.

Answering a question from Commissioner Vaux, Mr. Coghill stated that transit system funds, if the ballot

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issue passes and SCOA is chosen to contract for services, will help to alleviate the shortfall in Burlington and Mount Vernon, but in the County, the shortfall will still exist.

Chairman Robinson asked Mr. Coghill exactly how much of a shortfall is predicted. Mr. Coghill responded that SCOA expects to be behind by \$33,000 at the end of 1992.

Mrs. Angevine stated that the Disability Board has taken steps to assist SCOA. They have suggested that SCOA remind riders to make donations, if possible, in lieu of fares. They are looking at ride sharing with the senior transportation buses. They have suggested that SCOA expand the use of volunteer drivers to disabled runs, and the Board is seeking legislation supportive of disabled transportation funding.

Commissioner Wylie asked Mike Woodmansee, County Budget/Finance Director, to comment. Mr. Woodmansee stated that he has not seen SCOA latest 1992 financial projections, and therefore could not comment.

The Board directed Mr. Woodmansee to make inquiries into SCOA's financial projections and report his findings, and the discussion closed.

APPROVAL - IAC GRANT PROJECT - NORTHERN STATE MULTI-PURPOSE CENTER.

Jon Aarstad, Parks and Recreation Department Director, presented a resolution which, if approved, would authorize application to the Interagency Committee on Outdoor Recreation for a \$353,000 grant, which is a 50% matching grant.

Commissioner Vaux motioned to approve the resolution authorizing Mr. Aarstad to submit to the IAC for funding for the Northern State project and pledging \$353,000 in General Funds as a match requirement for the grant. Commissioner Wylie seconded the motion, which passed unanimously. (Resolution #14340)

APPROVAL - IAC GRANT PROJECT - CENTENNIAL TRAIL.

Steve Colby, Parks Department Projects Manager, reported that next week he will be returning to the Board to request funds for the construction of a bridge over the Skagit River at the Sedro Woolley trail site. Today, he stated, he wished to report on a trails development concept used by Snohomish County which he suggested Skagit County adopt. He recommended that when the trail property has been acquired, clearing and developing should begin at once and continue in phases, each phase to be completed before the next is begun. The trail north of Big Lake to South of Clear Lake should be a first phase. He estimated site preparation, utilities and signs installation, parking construction, two trail heads, restrooms, picnic facilities, benches, and two pedestrian bridges across the Nookachamps (at \$125 per square foot for a total of \$430,000) will create a 4.5 mile section of trail at a cost of \$950,000 total. A trail width of 12 feet is figured, although Snohomish County used a 20 foot width to accommodate equestrian traffic. Mr. Colby stated that increasing to 20 feet in width would double the estimate.

Mr. Colby stated that although \$300,000 of the funding would be coming from the IAC, the County would be responsible for \$650,000.

Mr. Aarstad stated that he would suggest one of the following options: 1) Steve's suggestion, 2) reduce the area contained in Steve's suggestion, or 3) wait a year before beginning any project.

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Mr. Colby explained that his first suggestion could be reduced to a one mile portion at Clear Lake, which would reduce the estimate to \$400,000 or less. Although trail from the Skagit River bridge to Clear Lake has been sold to private individuals, and Clear Lake owns railroad right-of-way through the Town, the Parks Department is working out alternatives to develop the trail.

Commissioner Vaux stated that he favors development now on the one mile stretch from Clear Lake to the Nookachamps.

Commissioner Wylie suggested encouraging proponent fund raising efforts.

Mr. Aarstad stated that the Parks Department favored development of the entire 4.5 mile length.

The Board agreed to fund development of the one mile stretch only as Phase I, and requested that Jon return tomorrow with a resolution.

PUBLIC WORKS DEPARTMENT - RICH MEDVED, DIRECTOR:

1) Signature - Drainage Easement Agreement - Puget Power (Gibraltar Road).

The Board approved for signature a drainage easement agreement with Puget Power which will allow the completion of drainage culvert placement on Gibraltar Road near the area of the 1990 slide event. Commissioner Vaux motioned approval, with Commissioner Wylie seconding. The motion passed unanimously. (Contract #001333)

2) Resolution - Writing Off Uncollectible Debts.

Greg Thramer, Public Works Accountant, presented a resolution which would clean up uncollectible bad debts on Solid Waste accounts.

Commissioner Wylie motioned to approve the resolution authorizing debts in the total amount of \$2,500 to be written off and uncollectible. Commissioner Vaux seconded the motion, which passed unanimously. (Resolution #14341)

3) Signature - Agreement for Ash Sampling and Analysis Services with Materials Testing and Consulting, Inc.

Don King, Incinerator Operations Manager, presented an agreement approving the selection of Materials Testing and Consulting of Mount Vernon as contractor for Incinerator ash sampling and analysis. The total amount of the firm's proposal is \$74,390, and they will be sampling quarterly.

Commissioner Vaux motioned to accept and sign the agreement with Materials Testing and Consulting, Inc. Commissioner Wylie seconded the motion, which passed unanimously. (Contract #001334)

4) Call for Public Hearing - Six Year Road Program.

In accordance with work sessions schedule to review the program, Commissioner Vaux motioned to adopt the resolution calling for a public hearing on Monday, July 6, 1992, at 10:00 a.m., to consider the adoption of the County's Six-Year Road Program. Commissioner Wylie seconded the motion, which passed

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unanimously. (Resolution #14342)

5) Miscellaneous.

- A. Staff reported that the Guemes Ferry is back in service after the periodic maintenance haul out as of last night.

CONSENT AGENDA.

Commissioner Vaux motioned to approve the consent agenda, as submitted. Commissioner Wylie seconded the motion, which passed unanimously.

* Public Works Department:

- 1) Order Vacating County Road Right-of-Way to Mr. and Mrs. C.C. Cummings in Plat of Rolling Ridge Estates, Division I for \$98.00.
- 2) Assignment of Savings Account Agreement for bonding of Dakota Creek Industries, Inc., for the contract bonding for the haul out and dry docking of the Guemes Ferry. (Contract #001335)

* Health Department:

- 3) Ordinance amending Chapter 12.20 of Skagit County Code regarding Camping Vehicle Parks. (Resolution #14344)

* Sheriff's Office:

- 4) Re-signing resolution calling for bid for purchase and deliver of commissary supplies - stationery and toiletry items. (Resolution #14345)

* Public Defender:

- 5) Contract for professional services with Sylvia Ringen to evaluate clients as requested at a fee of \$60.00 per hour for the period from May 1, 1992, through December 31, 1992. (Contract #001336)

* Commissioners' Office:

- 6) Reappointing Barbara Lee and Maxine Williams to the Northwest Senior Services Advisory Board. (Resolution #14346)

* Planning Department:

- 7) Consultant Services Agreement with Henderson and Young to provide a seminar on capital facilities planning and impact fees at a period during June 22, 1992, through August 28, 1992, for a total sum of \$1,500. (Contract #001337)

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- 8) Resolution denying a short subdivision application #SPT-91-061 of Jess Webb. (Resolution #14347)

MISCELLANEOUS ITEMS.

- A. Commissioner Vaux motioned to approve the establishment of a \$50 change fund for the Parks Department's Clear Lake Swim Beach during the summer months. Commissioner Wylie seconded the motion, which passed unanimously. (Resolution #14343)

SIGNATURE - RESOLUTION REDEFINING PRECINCTS.

Jerry McInturff, Skagit County Auditor, presented a resolution which, if adopted, would alter voting precinct boundaries, both legislative and congressional, in accordance with State redistricting. Mr. McInturff went on to explain the changes, which were contained within the resolution.

Commissioner Vaux motioned to adopt the resolution redefining certain precincts of the Skagit County. Commissioner Wylie seconded the motion, which passed unanimously. (Resolution #14348)

**DECISION - KENDALL GENTRY SHORT PLAT APPLICATION #90-055
CHUCKANUT DRIVE AND SAM BELL ROAD.**

Dave Hough, Senior Planner - Planning Department, provided a brief review of the Kendall Gentry short plat application for a 4 lot subdivision on the east side of Chuckanut Drive and south of Sam Bell Road.

Commissioner Vaux asked how this property happens to be zoned "Rural Residential". Mr. Hough advised that it is actually zoned "Rural Intermediate" with 2 1/2 acre minimum lots. He said he was not sure how the property came to be zoned "Rural Intermediate" as he was not working in the Planning Department at that time.

Commissioner Vaux asked Mr. Gentry when he purchased the property in question. Mr. Gentry advised that he purchased the property in the summer of 1990 at development prices.

Commissioner Vaux commented on the water levels in the area during the November 1990 flooding. He stated that due to the disasters in 1990 it has caused him to change his mind about how he views things. Most of the problems that have come as a result of the flooding disaster have come down on the shoulders of Skagit County. He added that he could not see houses being built in that location. It would be nothing but trouble for whoever ends up occupying those homes. He said he is unable to explain why that zoning is there and that it doesn't make it right to build houses there.

Commissioner Vaux motioned to deny the appeal of the decision relative to the Kendall Gentry short plat application #90-055 on Chuckanut Drive and Sam Bell Road. Commissioner Wylie agreed with Commissioner Vaux and seconded his motion. She emphasized that the County needs the kind of houses Mr. Gentry builds but not in the flood plain. Commissioner Robinson agreed and the motion was carried unanimously.

PLANNING COMMISSION RECOMMENDATION - COMPREHENSIVE PLAN POLICIES

Scott Kirkpatrick, Director - Planning Department, reported. He noted that the work of the Planning

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Commission was submitted to the Board with a recommendation for adoption. Both the County Comprehensive Plan Policies and County-Wide Planning Policies were put together through collaboration with the cities, as required by HB 1025, Section 2. He advised that they are prepared to answer additional questions from the Board relating to whether to accept these policies as written, remand or schedule their own public hearing.

Commissioner Robinson asked Mr. Kirkpatrick whether he had received a letter from Mr. Wells expressing concern about unincorporated cities. He stressed that this matter needs to be addressed and provided Mr. Kirkpatrick with the letter to read.

Mr. Kirkpatrick noted that Mr. Wells addresses two concerns: Failure to establish unincorporated communities and the Highway 9 situation. He said he feels these issues can be tackled under the rural element of the Comprehensive Plan. They can probably be handled under an element not required, but one that he would like to do called "Urban Growth Areas". Regarding Highway 9, where Mr. Wells is concerned about Highway 9 in terms of transportation, the County-Wide Transportation Plan will deal with Highway 9, the County road system and transportation between cities.

In response to comments from Commissioner Wylie, Mr. Kirkpatrick emphasized that the rural lifestyle must be addressed. The best way to do that is through a rural element. The Urban Development Committee and the Mount Vernon City Council have put this on the table as something they should begin thinking about. There was a suggestion that perhaps we should have a rural goal. That is easily something that could be brought forward as a result of the citizen participation process.

Commissioner Vaux asked Mr. Kirkpatrick if under these policies it would be possible for an area to incorporate and form a new city. Mr. Kirkpatrick said it would and that there is nothing to prevent it. Hopefully, that would be encouraged.

Mr. Kirkpatrick noted that annexations beyond the urban growth area are prohibited. There is no reason why a jurisdiction can't go through a formal process to alter that. Mr. Christensen, Senior Planner, noted that a city would probably have to petition for urban growth boundaries to be changed. Cities will not be allowed to annex land beyond the urban growth boundaries.

There was further discussion with the Board about the proposed Comprehensive Plan Policies and some of their ramifications to the County.

Commissioner Vaux asked Mr. Kirkpatrick when it is estimated the Comprehensive Plan update will be finished. Mr. Kirkpatrick said their target is July 1, 1993. There may be a revised date on that based on previous discussions of State cutbacks and money, although it should not take much more than an additional six months, which would be the end of 1993. Everything that can be done will be done to hit the target date.

Commissioner Wylie asked Mr. Kirkpatrick if under Open Space and Recreation the sport fishing industry is included. Mr. Kirkpatrick said it is.

Commissioner Vaux expressed concern about what he feels is a subtle shift towards preservation of tourism and recreational use of areas away from traditional industries. He said he feels we are not far from eliminating commercial forestry or farming on this side of the mountains because they are being strangled by regulations. It is a big mistake if the whole intent of these policies is to be so restrictive that in the future there is no employment or there aren't things here we like. "We somehow are making life very difficult for

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industry and industry pays the bills," Commissioner Vaux said. Commissioner Vaux emphasized that he feels that policies should not be adopted as a basis for the Comprehensive Plan that discourage a way to make a living. The motivation shouldn't be to preserve land, but to preserve a way of life and some of the ways that have made Skagit County special.

Mr. Kirkpatrick responded that it is not the intent of the plan to preserve and lock up the county. There are some sections in the plan that address these issues. Also, it is planned that in the area of agriculture, work will be done with a citizens advisory committee to come up with ways to make the agriculture climate in the County better. A number of things have been done to help preserve farming in the community. Commissioner Wylie added that it is important to be supportive of the agriculturally related industries.

Commissioner Vaux further commented on the use of the words "protected and conserved" and emphasized that he would like to see these words used in conjunction with industrial uses or processing of natural resources. Mr. Kirkpatrick explained that the words "protected and conserved" are GMA language. The lands are to be conserved for the purpose of perpetuation of commercial purposes. Commissioner Vaux questioned why that is not spelled out. Mr. Christensen further explained that this comes from the Washington Administrative Code. The State, instead of saying "industrial", is saying "long term commercially significant" in its place.

Commissioner Vaux said that next to adopting a balanced budget, land use planning is the most important job of local officials. Because of state and federal regulations the ability of the County Commissioners is constantly being diminished. Mr. Kirkpatrick agreed and added that under the Growth Management Act and the policies being presented, a new and more important significantly focused role of the County Commissioners is happening than has happened before. It may then become more restrictive but also more negotiated.

After further discussion Commissioner Wylie motioned to approve the recorded motion of the Planning Commission relative to the County-wide Comprehensive Plan Policies effective July 1, 1992. Commissioner Vaux clarified with Mr. Kirkpatrick that this action fits in with what the cities have been told. Mr. Kirkpatrick stated that the policy is effective July 1, 1992, and if the cities have any objections they can make them prior to that time. The Board may then come back and reverse the motion. Mr. Kirkpatrick added that he would advise the cities that there is an understanding the Board would reverse the decision if they brought anything significant to the Board. Commissioner Robinson seconded the motion, which passed unanimously.

DISCUSSION - NEW BUILDING CONSTRUCTION, ROGER HOWARD, FACILITIES MANAGEMENT.

Roger Howard, Facilities Manager, reported that the contract with the Henry Klein Partnership on design of the new building allows for adjustment of the fee if construction costs change. He explained to the Board that the percentage of the fee goes down as the cost of the building goes up, although not by a large amount. As the costs for the building have undergone a change, consultant fees will be reduced, and the Board signed a change order stating the same.

SIGNATURE - HOLD HARMLESS AGREEMENT.

Roger Howard reported that the City of Mount Vernon Fire Department has asked permission to use tool houses owned by the County for practice. The Board approved for signature a Hold Harmless Agreement with the City of Mount Vernon for real property located at 117 Broadway and 109 Broadway in Mount Vernon, Washington, for Search and Rescue training purposes from May 11, 1992 until the County notifies

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the City that the facilities will no longer be available.

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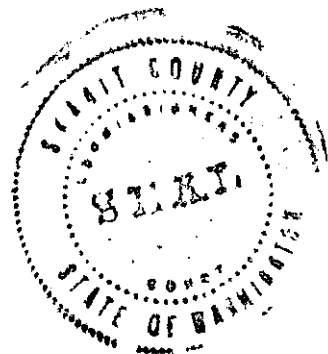
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ADJOURNMENT:

Commissioner Wylie motioned to adjourn the proceedings. Commissioner Vaux seconded the motion. The motion was carried unanimously.

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



Robby Robinson

Robby Robinson, Chairman

Ruth Wylie

Ruth Wylie, Commissioner

W. W. Vaux

W. W. Vaux, Commissioner

ATTEST:

Stephanie Wood

Stephanie Wood, Clerk
Skagit County Board of Commissioners