

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

Tuesday, February 16, 1993:

- 9:00 a.m. - 10:00 a.m. Department of Planning and Community Development - Dave Hough, Acting Director:
- 1) Discussion - Administrative Procedures on Comprehensive Planning.
 - 2) Code Enforcement Report.
 - 3) Miscellaneous.
- 10:00 a.m. - 11:00 a.m. Public Works Department - Rich Medved, Director:
- 1) Discussion - 1993 Tulip Festival Traffic Control Planning.
 - 2) Signature - Washington State Department of Transportation City/County Agreement - Skagit County as Lead Agency for Regional Transportation Planning Organization Funds.
 - 3) Miscellaneous.
- 11:00 a.m. - 11:30 a.m. Request for Proposals for Skagit County Jail Inmate Phone System.
- CONSENT AGENDA.
- MISCELLANEOUS ITEMS.
- 1:30 p.m. - 2:30 p.m. Discussion - Puget Sound Water Quality Authority.

The Skagit County Board of Commissioners met in regular session on Tuesday, February 16, 1993, with Commissioners Hart, Wolden, and Robinson present.

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT - DAVE HOUGH, ACTING DIRECTOR:

- 1) Discussion - Administrative Procedures on Comprehensive Planning.

Dave Hough, Interim Planning Director, presented an update on this issue. Approximately two years ago Administrative procedures on Comprehensive Planning were developed. In recent discussions with John Moffat, Chief Civil Deputy Prosecuting Attorney, it was found that some procedures are incorrect. According to Mr. Moffat, individuals cannot directly apply for a comprehensive plan map amendment, but can petition the Board for an amendment. A formal policy will be developed from the draft presented in the Board's packets. Unless petitions are emergency situations, applications will most likely be recommended for denial of comprehensive plan map amendments, unless they fall within the whole comprehensive plan idea.

In the old policy, there is a window of opportunity in January to apply for comprehensive plan map amendments. The new policy will provide for petitioning any time during the year, but the Board will decide whether it will go through the formal review process. A lot of requests will be coming in. Gary Christensen will develop a one page form to fill out so that during the comprehensive plan review, all can be considered at once. Dan Mitzel has spoken about petitioning for a Comprehensive Plan Map amendment and had been recommended to wait.

Chairman Hart stated that the Board would be the only ones able to recommend whether the Planning Commission will go ahead and review a Comprehensive Plan Map amendment, or wait for the Comprehensive Plan to be adopted as a whole.

Mr. Brookings stated that Mr. Moffat says a property owner does not have the right to apply for a Comprehensive Plan Map Amendment, but can petition the Board for consideration to recommend to planning commission.

Chairman Hart stated that if the Board refuses the application it would be without prejudice. The Board would not make a judgement on whether to allow the amendment or not, just whether to direct the Planning Commission to review the subject for amendment directly, or wait until after the comprehensive plan is completely updated.

Discussion continued from the Board expressing concern that people will continue to petition repeatedly, and over the possibility of an overabundance of petitions if one or two are allowed to proceed presently.

Mr. Hough stated that most individuals do not want to continue with a Comprehensive Plan Amendment when it requires an Environmental Review, etc. If they can have it reviewed by the Planning Commission when the whole plan is being considered, they will be more likely to wait. This will save Planning Staff time and save the applicant the expense.

Commissioner Robinson agreed that he would prefer to have amendment requests postponed until the Comprehensive Plan is being reviewed in entirety other than specific situations such as the WSDOT request that was recently allowed.

2) Code Enforcement Report.

The Code Enforcement Report was presented to the Board.

3) Miscellaneous.

- A) The Board discussed whether a Transportation Element Citizens Advisory Committee was to be created for involvement in Growth Management Act Planning.
- B) Jim Freeman addressed the Board regarding the forthcoming discussion with the Puget Sound Water Quality Authority. He provided a memo to the Board relating questions posed by the Authority for the Board to review.

PUBLIC WORKS DEPARTMENT - RICH MEDVED, DIRECTOR:

1) Discussion - 1993 Tulip Festival Traffic Control Planning.

Doug Barnet, County Engineer, addressed the Board regarding the traffic control planning during the tulip bloom. He stated that the Public Works Department and the Sheriff's Department are working cooperatively to make the traffic control situation workable.

2) Signature - Washington State Department of Transportation City/County Agreement - Skagit County as Lead Agency for Regional Transportation Planning Organization Funds.

Doug Barnet, presented an Agreement for the Board's signature designating Skagit County as lead agency for the State Transportation Program Funds. The agreement originally stated that the County would be lead agency for Regional Transportation Planning Organization Funds, which will be changed to read State Transportation Program Funds. Skagit County and Skagit Council Of Governments will be responsible for 13% of the funds.

The Agreement was signed by the Board.

3) Miscellaneous.

- A) Mr. Medved stated that the load restrictions on Baker Lake Road was being removed today. It is the last road in the County to have restrictions removed.
- B) Mr. Medved stated that after discussions with Charlie Tewalt and Robin LaRue, it was determined that Mr. Tewalt will be interim Ferry Manager.

REQUEST FOR PROPOSALS FOR SKAGIT COUNTY JAIL INMATE PHONE SYSTEM.

Roger Howard, Facilities Manager, Ross Bailey, and Jeff Walde, Chief Corrections Deputy were present for this item.

Mr. Howard stated that there is an opportunity available to make money for the County. The proposed system would differ from the present GTE system. The present system has live operators, which place the calls for the inmates. The new system would be automated, Personal Identification Numbers would be assigned to the inmates, allowing a tracking system for calls made. All inmate calls are placed collect, the company selected to install the system will be responsible for collecting the fees, and a percentage will be distributed to the County.

Commissioner Robinson motioned to approve the resolution to call for RFP's by march 15, 1993, for the installation of a new Jail inmate phone system. Commissioner Wolden seconded the motion, which carried unanimously.

The proposals will be reviewed and a recommendation will be made to the Board at a later date with a request to negotiate a contract with the best apparent proponent.

CONSENT AGENDA.

* ADMINISTRATION:

1. Record of the Proceedings for the Week of January 19, 1993.
2. Record of the Proceedings for the Week of February 1, 1993.

* PARKS, RECREATION, AND FAIR:

3. Signature - Facilities Use Agreement with Burlington-Edison Public Schools for the use of Bayview, Allen, Edison, and Lucille Umbarger Softball Fields, from April, 1993 through June, 1993 on Tuesdays and Thursdays 5:00 p.m. until dark. There will be no fees charged. (Contract #01292).

* HUMAN SERVICES:

4. Signature - Contract Amendment to the sub-contract between Skagit County and Big Brothers/Big Sisters for Substance Abuse Prevention Services. The amendment changes the number of required service delivery hours for the remainder of the contract period, and there are no dollar amount changes. (Contract #01023).

* HEALTH DEPARTMENT:

5. Signature - Support Group Facilitator Contract with Jerry Sommerseth for Skagit AIDS Volunteers Group Tuesday evenings January, 1993 through December, 1993, from 7:0 p.m. to 8:30 p.m. at the rate of \$40.00 per month. (Contract #01575).

MISCELLANEOUS ITEMS.

- A) 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, February 16, 1993, the Board, by a majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

Warrants #92873 through #93504 (Vouchers #3000631, 2019432 through #3001441, 1029447) in the amount of \$541,218.61. Transmittal Number C05-93.

- B) Commissioner Wolden motioned to appoint George Shelton to the Skagit County Planning Commission. Commissioner Robinson seconded the motion, which carried unanimously. Mr. Shelton was present for the Board to thank him for being willing to serve on the Planning Commission as recommended by Commissioner Wolden. (Resolution #14741).

DISCUSSION - PUGET SOUND WATER QUALITY AUTHORITY.

Steve Tilley, Water Quality Supervisor, and Stuart Glasoe, Shellfish Specialist, Puget Sound Water Quality Authority, were present for the discussion with the Board. County staff members present were Dave Hough, Interim Planning Director, Jim Freeman, Senior Watershed Planner, Dave Brookings, Flood and Drainage Engineer, Dan Tolliver, and John Abenroth, Flood and Drainage Department; and George Ridgeway, Environmental Health Specialist.

Mr. Tilley stated that the goal of the discussion was to find out what the County is doing to help implement the Puget Sound Water Quality Plan. The Plan covers Stormwater Management, Wetlands Protection, Non-

Point Source Pollution Prevention, Shellfish Protection, and other issues. The first five or six years of the Plan focused on management and what the State was doing with the funding, and has been amended several times over the years. Some of the programs in the Plan address actions local governments should take. The State would now like to know where local governments now stand regarding implementing the Plan.

Mr. Glasoe stated that this discussion would also provide a means for the County to see what the State feels should be the priorities for local governments relating to the Plan.

Mr. Tilley distributed a Puget Sound Plan Local Government Plan Tracking Questionnaire which outlined the State guidelines and requirements for local governments.

Chairman Hart stated that the biggest concerns for the County is the run-off from logging practices, animal waste, and non-operative septage systems. He said that there are not a lot of heavy industries in Skagit County, but oil refining is the largest. The two refineries have always worked closely with the County on Water Quality issues there is no problem there.

Mr. Brookings said that the largest problem for his department is construction site erosion control, and storm water run-off.

Mr. Glasoe stated that the Plan has programs related to stormwater, one of which is to develop a stormwater manual. There are advanced projects for larger problems.

Mr. Brookings stated that a stormwater manual will be implemented in the next year. He said he and Mr. Freeman have been working together on the Centennial Grant Application, to avoid duplicating efforts and to receive grant funding that will benefit both areas.

Mr. Tilley stated that a Determination of Non-Significance will be required for urban stormwater discharge.

Mr. Freeman asked what criteria will be used for the permitting requirements for major jurisdictions.

Mr. Tilley stated that population density will dictate whether permitting is mandatory or heavily suggested.

Mr. Hough stated that there is no ordinance regarding wetlands protection in the County. The State Environmental Protection Act (SEPA) is utilized to require compliance with the Army Corp of Engineers. Large projects under SEPA require the applicant to provide buffering, 25 foot setbacks, and wetlands are not allowed to be used for stormwater detention. The County has not implemented critical areas or wetland ordinances yet.

Mr. Freeman stated that two years ago a wetlands project was conducted that was comprised of three components: wetlands education for the public, wetlands identification and map creation; and a legal analysis of SEPA ordinance for the County and Cities in the County to determine if there were any areas where SEPA could be amended to provide greater protection.

Mr. Hough stated that ordinances regarding shorelines, master program, unstable slopes, flood damage, prevention in critical areas, are in use, but there is no wetlands ordinance. He said that it is necessary to comply with the Growth Management Act (GMA) deadline first, then development regulations.

Mr. Brookings stated that it is a cumbersome task, and drainage plans are being modified through the process.

Mr. Freeman stated that the Nookachamps Watershed Management Plan is almost complete. It was designated as the number one priority for the County's watershed planning. The main concern is regarding the Highway 9 corridor and future impacts on the area. The preliminary draft is being reviewed, and there have been public education sessions. Last year the Board approved funding for a Skagit County Sanitary Survey Project covering the three top watersheds and to work with the communities to educate on how to protect the watersheds. The second priority area is the Padilla Bay/Bay View Watershed which is being started. The main concern for this area is regarding protecting Padilla Bay. The third is the Samish River Watershed. The main concerns for this area are the fisheries.

Mr. Glasoe asked how the Nookachamps Watershed Plan has influenced the other plans.

Mr. Freeman stated that there are certain requirements in the Nookachamps Watershed Plan that have set a precedence for the others. The Skagit/Island Builders Association has been willing to work with his department to provide education regarding best management practices. A lot of what will happen in the second and third watershed management plans will have to do with the Nookachamps Watershed Program.

Mr. Glasoe stated that PSWQA is concerned with the possibility of non-production in the shellfish beds due to non-point pollution run-off.

Mr. Ridgeway stated that there are septage problems being dealt with in the towns of Blanchard and Edison. He said that it is a long, difficult, correction process when parties involved know how to go through the appropriate processes. It is even more difficult for the residents in the area who do not know the processes. The grant process to fund the solution is difficult. The County would like to provide assistance, but needs to know the costs that will be involved. The expense will not be known until research is completed, that will take more time than has been allowed. He felt that the State agencies don't provide enough assistance. The pressure is on the community, yet the grant process is competitive, lengthy, and complicated. The County is in the process of applying for a grant to help fund the septic repair.

He said that two meetings were held in each town to apprise them of the septage problems. The people are genuinely concerned, but also scared that they will be sued if the shellfish beds are declassified.

Mr. Tilley stated that he and Mr. Glasoe had met this morning with the City of Anacortes, which expressed concern over the coordination of the City and County regarding development standards. He said that there is a lot to accomplish in the next one or two years with the GMA and Comprehensive Plan, and wondered whether the County could see coming to terms with Anacortes.

Chairman Hart stated that there are meetings scheduled with the City of Anacortes to deal with the development issues. He said that their original approach was not practical as far as density per parcel. He said that there is effort being made to deal with the issues that the City of Anacortes brought up, but didn't feel that was their prime issue of concern.

Mr. Tilley stated that the City of Anacortes seemed to have a problem with septic tanks and lot size, and enforcement of tanks. Mr. Tilley wondered whether the operation and maintenance of septic systems are addressed by the County in other areas.

Mr. Karsh stated that the issue of on-site sewage regulations are at the State level. The local authorities have no definition of treatment or performance for on-site sewage. The County can't afford the manpower to perform inspections when they have no regulations to follow. Treatment plants have standards and can be regulated, but on-site cannot. The County will support the implementation of standards for on-site sewage in State regulations.

Mr. Ridgeway stated that he would rather support regulating on-site sewage than a minimum one acre size for an alternate drain field system. That would be making the sewage/septic solution based on zoning.

Chairman Hart stated that systems work differently on different land, and in different rain levels. He felt that the important issue was whether there was pollution in the bay or not, and that there may be a need for different densities in different areas.

The Board thanked Mr. Tilley and Mr. Glasoe for attending.

ADJOURNMENT

Commissioner Robinson moved to adjourn the day's proceedings. Commissioner Wolden seconded the motion which carried unanimously.


BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON


Robert Hart, Chairman


Harvey Wolden, Commissioner

Robby Robinson, Commissioner

ATTEST:


Connie Carter, Clerk of the Board
Skagit County Commissioners

