

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

Tuesday, August 3, 1993

- 9:00 a.m. - 10:00 a.m. Department of Planning and Community Development - Dave Hough, Director:
- 1) Signature - Addendum No. 1 to Consultant Agreement with David Evans and Associates on the Starbird Golf Course Environmental Impact Statement.
 - 2) Discussion - Upper Skagit River Task Force.
 - 3) Code Enforcement Report.
 - 4) Miscellaneous.
- 10:00 a.m. - 11:00 a.m. Appeal by Sandra and Xavier Grospe of Decision of Administrative Official Regarding Lot Certification on Property Near Big Lake.
- 1:00 p.m. - 2:00 p.m. Discussion - Puget Sound Water Quality Authority: The Local Government Plan Tracking Report.
- 2:00 p.m. - 2:30 p.m. Planning Commission Recommendation - Approval - Northwest Farm Food Coop Rezone #REZ-92-003, Anacortes Street, Burlington.
- 2:30 p.m. - 3:30 p.m. Presentation - Bill Hagens, Senior Research Analyst, House Health Care Committee on Health Care Reform Act.
- 3:30 p.m. - 4:00 p.m. Work Session - 25-Year Capital Improvement Plan for Operations Division.

The Skagit County Board of Commissioners met in regular session on Tuesday, August 3, 1993, with Commissioners Robert Hart, Harvey Wolden, and Robby Robinson present.

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

- 1) Signature - Addendum No. 1 To Consultant Agreement With David Evans and Associates on the Starbird Golf Course Environmental Impact Statement.

Dave Hough, Director, Planning and Community Development, reported that the applicant for this project requested that the project be put on hold a number of months ago. The project was on hold for about 4 months due to some things that needed to be done relative to testing, etc. The project is proceeding again and the consultants have requested a \$10,000 increase in their contract due to the delay. It has been determined that this is a reasonable amount and the applicant has agreed to reimburse Skagit County for an additional \$10,000. This will extend the contract to allow for completion of the project by August 31, 1994.

Commissioner Robinson motioned to approve for signature Addendum #1 to Consultant Services Agreement #001396 to prepare draft and final Environmental Impact Statements for the proposed Starbird Golf and Country Club Planned Unit Development. Commissioner Wolden seconded the motion, which passed unanimously. (Contract #01396).

RECORD OF THE PROCEEDINGS

Tuesday, August 3, 1993

Page #2

2) Discussion - Upper Skagit River Task Force.

Oscar Graham, Senior Planner, reported. He presented a summary of the Skagit River Working Group Process meetings, which he has been attending. This group is charged with reconciling the use of the Skagit River by humans with the existence of endangered species habitat.

Mr. Graham suggested that attending the Task Force meetings on an auditing basis might be a better way for the County to be involved in the process. Mr. Graham noted that whatever role the County plays could have some consequences on the use of the Upper Skagit River system.

Commissioner Hart said he would like to see the winter recreational use of the Skagit but wouldn't want to see uncontrolled use. He noted that the bald eagle population of Skagit County has become much more noticeable. Commissioner Robinson and Commissioner Wolden agreed. Commissioner Wolden added that the eagles are not disturbed by noise, but will fly away when there is silence. Mr. Graham noted that the Stalmaster Report indicates that the younger birds are more effected by these things, although there is a recovery taking place in terms of bald eagles, and it still doesn't mean that because of the overall numbers the eagle will be removed from the protected list.

Commissioner Hart noted the increasing people population and stated that at some point there needs to be some kind of management of how many people are going to be using the river.

Commissioner Wolden emphasized that there have been a lot of guides on the river, but they aren't a problem. Oscar stated that these were probably steelhead guides, but there is a whole new group moving onto the river, which includes rafters and bird watchers. The Stalmaster Report states that these individuals carry as much impact or more than the fishermen.

Commissioner Hart stated he felt a position should be developed by the Board that recognizes the value of the winter recreational activities and fishing and non-fishing recreational activities , but with support for some kind of management of the numbers of people allowed to use the river. Commissioner Wolden said that, although he believes the eagle is not being harmed, maybe there needs to be some kind of monitoring cameras on all the areas of the river.

Dave Hough commented that obviously the work of this committee is very broad based, therefore, there are going to be alternatives from both sides. It might be best to comment once the group puts together the alternatives.

Mr. Graham noted that it is clear the Forest Service needs to come up with a permitting system for use on the river.

Commissioner Robinson said he would be interested in seeing what some of the people have to say about this before going ahead and making comments on it. He added that he is very concerned about too many restrictions relative to the winter use of the river.

Mr. Graham stated that it was his impression that the Board, at this time, would like to listen and wait to find out what the alternatives are that will be presented, then review the alternatives and take a definitive position at that time. The Board agreed. Mr. Graham added that it is his impression the Board would recommend that there be some limited regulation along with education. He stated that this would also be his recommendation.

Mr. Graham stated that the whole process is being conducted because the Forest Service is being urged to install a commercial river permit on the Upper Skagit. Other rivers are more hazardous than the Skagit and they already have permits in use. He explained that there are really two populations of eagles in Skagit County: the residents and the migrants. In the winter months the Upper Skagit River has a lot of migrant eagles. Those are the ones everyone is going to see.

Commissioner Hart said it was not unreasonable to require some licensing, but there doesn't need to be a lot of restriction. Mr. Graham suggested that there be increased viewing areas with proper setbacks and noted that the Forest Service has an employee who goes from viewing area to viewing area to provide education on how to view eagles to the public.

The Board concluded that they are supportive of increased viewing areas and education. Mr. Graham advised that he will report back to the Board about alternatives that are developed relative to permitting. The Board also emphasized that there is a need for a more balanced approach.

3) Code Enforcement Report.

The Code Enforcement Report was presented to the Board.

4) Miscellaneous.

A) Jim Freeman, Senior Planner, Resource Planning, introduced Martha Bray, Assistant Watershed Planner, to the Board. He advised that Ms. Bray is currently a resident of the Rockport area and previously worked in King County.

MISCELLANEOUS ITEMS.

Roger Howard, Facilities Manager, presented a resolution to the Board awarding the bid for construction of a parking lot for Skagit County to Enviro-Chem Technologies, Inc., of Bellingham. After review, Commissioner Hart motioned to accept the bid award for construction of a parking lot for Skagit County on the southeast corner of Third and Kincaid Streets. Commissioner Robinson seconded the motion, which passed unanimously. (Resolution #14963).

APPEAL BY SANDRA AND XAVIER GROSpe OF DECISION OF ADMINISTRATIVE OFFICIAL REGARDING LOT CERTIFICATION ON PROPERTY NEAR BIG LAKE.

Dave Hough reported to the Board, providing background on the appeal by Sandra and Xavier Grospe. This matter involves a lot division initiated by Mr. and Mrs. Grospe through the local courts system, which is not recognized by Skagit County as a legal means to divide property. A lot certification, which is necessary in order to obtain a building permit, cannot be obtained because the property is not divided in a recognized manner. Mr. and Mrs. Grospe must obtain a short subdivision of their property in order to legalize their property division.

Tom Moser, Attorney, was present to represent Mr. and Mrs. Grospe. He introduced Sandra Grospe and her mother, Edna Conneway. He reviewed the history of the ownership of the property and the process the Grospe's went through to prepare the land. He emphasized to the Board that the Grospe's were not

interested in subdividing the property and they need some assistance to proceed through the rest of the permit process. The purpose of the property division is for Edna Conneway to live on the property.

Commissioner Hart and Commissioner Wolden asked why the partition process was followed rather than going through the normal procedure to have the lot certified. Mr. Moser explained that the partition process was quicker and less expensive. Commissioner Wolden pointed out that although it may be quicker and less expensive, it is not recognized.

Dave Hough explained that this was brought up over a year ago as it relates specifically to the problems relative to divorce decrees. At that time a letter was circulated to all Skagit County bar members advising of the County position on court decrees. The courts were dividing properties without regard to zoning, water, roads, or other factors. He explained options available to Mrs. Grospe.

There was some discussion by the Board regarding the process. Mr. Hough listed some of the things that need to be done for the property to be approved for sub-division by Skagit County. He noted that a lot of the work may have been accomplished already, but there are still things that need to be done.

Mrs. Grospe told the Board about the process that she had already been through and that she was unsure of how to obtain lot certification.

There was further discussion about the process Mr. and Mrs. Grospe would need to go through to get the lot certified. The Board requested that the County staff provide as much help as possible to assist the Grospe's through the process.

Commissioner Wolden motioned that the appeal by Sandra and Xavier Grospe be remanded back to the Planning Department.

Mr. Moser said he did not think this matter would be handled administratively, as Mr. and Mrs. Grospe want Mrs. Conneway to have ownership of the property in her own name since she has a financial interest in the property as well.

After discussing the matter further and receiving input from John Moffat, Chief Civil Deputy Prosecuting Attorney, Commissioner Wolden rescinded his motion. Commissioner Wolden then motioned to uphold the Planning Director's decision by denying the appeal by Sandra and Xavier Grospe regarding lot certification on property near Big Lake. Commissioner Hart seconded the motion, which passed unanimously.

DISCUSSION - PUGET SOUND WATER QUALITY AUTHORITY: THE LOCAL GOVERNMENT PLAN TRACKING REPORT.

The discussion was led by Nancy McKay of the Puget Sound Water Quality Authority (PSWQA). She was accompanied by Stewart Glasoe. Dave Hough, Planning Department Director, Jim Freeman, Watershed Planner, Terry Williams, Fisheries Manager for the Tulalip Tribe and a member of the PSWQA, and Doyle Geer, Anacortes Mayor, were also present.

Ms. McKay stated that representatives of the PSWQA are here today to share the results of the PSWQA's biennial report process started about a year ago with local governments, and to ask for the Board's help

as the PSWQA revises their Puget Sound Water Quality Management Plan. Ms. McKay stated that the Plan update must be completed by July 1, 1994, according to legislative mandate. Puget Sound is described as the 12 County area surrounding the Puget Sound, an area of 22,000 miles of shorelines and 16,000 square miles of land and water, Ms. McKay said. The biennial process is aimed at fine-tuning the Puget Sound Water Quality Plan, which was originally developed in 1985.

Ms. McKay provided each Board member with a copy of the Biennial Report to the Legislature. She stated that this document talks about how local governments and state agencies are doing in implementing the Puget Sound Water Quality Plan. As part of the preparation of the report, PSWQA decided to meet with local governments. A cross section of counties and cities were chosen and interviewed. The biennial report contains summaries of those meetings and surveys.

Ms. McKay stated that the biennial report will be one piece of information which will be used in updating the Plan. A series of County forums held in every county will begin in September, where the public will be asked to comment on how water quality can best be addressed by the PSWQA through the update of the Plan. The forum in Skagit County will be held in Hearing Room A on September 28, 1993, at 7:00 p.m. By the end of December a draft plan will be released and a series of public hearings will be held to accept comments on the Plan. A second draft will be developed and a second set of public hearings held. Adoption of a final plan will occur in July, 1994. A "sunset review" of the PSWQA by the legislature will occur this fall. This review will determine whether the work of the PSWQA should continue, or if its legislative mandate should expire.

Ms. McKay reviewed Skagit County's responses, which were contained in the biennial report, with the Board. Some responses were grouped and compared with other governments interviewed. In particular, the storm water management programs of the governments interviewed was reviewed. Sewerage and wetlands protection, non-point pollution and on-site septic systems, agricultural water quality management, marina pump-outs and shellfish beds, and funding and priorities were discussed.

Ms. McKay reported that the PSWQA plans to award up to \$500,000 in Federal Funds for storm water/water quality projects by the end of November. She stated that information on these funds will be available in the mail. Matching grants of 75% PSWQA funds, 25% cash or in-kind local funds will be awarded to successful applicants.

Those present discussed the County's wish to obtain the authority to police water quality violations instead of relying upon State agencies to issue fines and sanctions.

The issue of the State's on-site systems regulations and their inadequacies was indicated by both the City of Anacortes and Skagit County as a priority for the PSWQA. Ms. McKay asked for additional comments on this issue which may allow the PSWQA to find new ground to address State on-site septic requirements.

Ms. McKay also questioned those present on their views on the issue of sewerage as a development density tool under the Growth Management Act. Chairman Hart pointed out the County's acceptance of the Growth Management policy that 80% of all new development occur in the urbanized areas encompassing the local cities.

**PLANNING COMMISSION RECOMMENDATION - APPROVAL - NORTHWEST FARM FOOD COOP
REZONE #REZ-92-003, ANACORTES STREET, BURLINGTON.**

Jim Cahill, Assistant Planner, reviewed the recorded motion from the Planning Commission relative to Northwest Food Coop. He also read a memo to the Board of County Commissioners from himself and Gary Christensen relative to the Planning Commission recommendation, including the options available to the Board.

As there were no questions regarding this matter, Commissioner Robinson motioned to approve the Planning Commission recommendation to approve Rezone #REX-92-003, of Northwest Farm Food Co-op of Anacortes Street in Burlington. Commissioner Wolden seconded the motion, which passed unanimously.

**PRESENTATION - BILL HAGENS, SENIOR RESEARCH ANALYST, HOUSE HEALTH CARE COMMITTEE
ON HEALTH CARE REFORM ACT.**

John Thayer, Environmental Health Specialist, introduced Mr. Hagens to the Board.

Mr. Hagens complimented Mr. Thayer on his work in the area of health care, noting that Skagit County is well represented. He emphasized how important it is for local governments to be involved in the health care process and the new Health Care Reform Act.

Mr. Hagens provided background information regarding the proposed Health Care Reform Act. He stated that 42% of all health care is coming out of the public coffers and it is important that these costs be managed.

Mr. Hagens advised that there are five full-time commissioners serving on the House Health Care Committee and there is also an advisory committee which encourages local jurisdictions to get involved.

Mr. Hagens explained that the most important aspect of the Health Care Reform Act is that beginning in 1995 employers will be required to contribute at least 50% of the insurance costs for full-time employees and dependent coverage. With part-time employees, the rate will be pro-rata, which is somewhat controversial. There is a mandate that everyone have access to health care by July 1999. Everyone will have to pay some kind of co-payment. There will be a cap on premiums. They are advocating that a dedicated amount of money come from overall expenditures which guarantee local jurisdictions 5% of the local health dollars. Certified health plans such as Group Health and Blue Cross are going to be the the model for how health care is delivered. Responsibilities will change radically and there will be health insurance purchasing cooperatives.

Mr. Hagens pointed out a few of the things that will be necessary to bring the health care program about. He advised that the only people not included in this mandate are seasonal workers because of the complexity involved in bringing health care to this group. The board is working on how to serve that population, and will have a proposal by the end of the year.

Commissioner Hart stated that containment of costs and issues concerning tort reform on insurance are issues of interest. Mr. Hagens responded that cost containment is very strongly addressed in the plan. Ultimately, the real savings in the tort area is in improving the system.

Commissioner Wolden noted that whatever the plan is, those who presently have coverage will have a lesser plan at a higher cost. Mr. Hagens responded that for the most part people will receive a basic benefits package, although there will be negotiations for supplemental benefits. There will be a change in the concept of managed competition and a requirement to choose a more effective plan. You will have the same benefits package, although there may be some costs if someone chooses a richer plan. Ultimately, the overall cost should go down.

Commissioner Wolden expressed concern about the plan and the ability of government to manage it. Mr. Hagens said that all government does is to set some rules. Commissioner Wolden cautioned about driving out private enterprise. He said he sees a problem with small enterprise not hiring people because of the costs involved.

After further discussion the Board thanked Mr. Hagens for his presentation.

ADJOURNMENT.

Commissioner Wolden motioned to adjourn the proceedings. Commissioner Robinson seconded the motion which carried unanimously.

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON


Robert Hart, Chairman


Robby Robinson, Commissioner


Harvey Wolden, Commissioner

ATTEST:


Jean Terry, Acting Clerk
Skagit County Board of Commissioners

