

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS

Tuesday, August 15, 1995:

- Flag Salute.
- 7:30 a.m. - 8:30 a.m. Commissioners' Staff Meeting.
- 8:30 a.m. - 9:00 a.m. Consideration of Petition to Reorganize Drainage District No. 15 Into A Drainage and Irrigation Improvement District.
- 9:00 a.m. - 10:00 a.m. Planning Department - Dave Hough, Director.
1) Discussion - City of Mount Vernon Haggan Annexation.
2) Code Enforcement Report.
3) Miscellaneous.
- 10:00 a.m. - 11:00 a.m. Public Hearing - Implementation of Community Development Block Grant - West Shore Project.
- 11:00 a.m. - Noon. Update - Washington State Community Economic Revitalization Team.
- 1:30 p.m. - 2:30 p.m. Public Hearing - Proposed Amendment to Skagit County Code 14.04.060 Industrial District Zoning Requirements for March Point Industrial Area, Extending the Effective Date of Interim Controls.

The Skagit County Board of Commissioners met in regular session on Tuesday, August 15, 1995, with Commissioners Robert Hart, Ted W. Anderson and Harvey Wolden present.

CONSIDERATION OF PETITION TO REORGANIZE DRAINAGE DISTRICT NO. 15 INTO A DRAINAGE AND IRRIGATION IMPROVEMENT DISTRICT.

Staff presented a Resolution Calling for Election to Reorganize Drainage District No. 15 into a Drainage and Irrigation Improvement District. The election will take place on September 6, 1995, at the McLean Road Fire Station. Commissioner Anderson made a motion to adopt the Resolution to reorganize Drainage District No. 15 into a Drainage and Irrigation Improvement District. Commissioner Wolden seconded the motion and it passed unanimously. (Resolution #15866).

PLANNING DEPARTMENT - Dave Hough, Director.

1. Discussion - City of Mount Vernon Haggan Annexation.

Dave Hough, Planning Director, mentioned that the Planning Department has received a Notice of Intention from the City of Mount Vernon proposing annexation of a 40 acre parcel that is completely surrounded by the City. The annexation would eliminate an isolated unincorporated portion of land within the city limits. Mr. Hough mentioned that providing services to this isolated unincorporated area is burdensome.

A discussion ensued in regard to the annexation.

The Board took no action on this item at this time.

2. Code Enforcement Report.

The Code Enforcement Report was reviewed.

3. Miscellaneous.

1. Gary Christenson, Planning Staff, briefly reviewed the progress of the Planning Commission in regard to the Comprehensive Plan.

A discussion ensued.

2. Dave Hough mentioned that a letter was received from the City of Burlington in regard to revenue sharing. Mr. Hough mentioned that he would like to meet with Phil Messina, City Administrator, in this regard. The Board concurred.

PUBLIC HEARING - IMPLEMENTATION OF COMMUNITY DEVELOPMENT BLOCK GRANT - WEST SHORE PROJECT.

Chairman Hart opened the Public Hearing.

Paul Schissler, Block Grant Facilitator, presented a brief update in regard to the Community Development Block Grant West Shore Project, stating that all applications have been reviewed and determinations have been made. Mr. Schissler reviewed the grant progress to present.

Ellen Bynum, La Conner, expressed her concern in using the available funds within the grant in creative ways in order to avoid losing available funds. Ms. Binan also commented on the fact that some assessments are currently being appealed and therefore, tied up in tribal court.

Janet Finn, Sewer District, La Conner, inquired as to the written follow-up being completed with construction contractor employees to confirm certified payroll information and Davis-Bacon compliance. Ms. Finn requested that the Board continue the appeal in regard to this matter.

Dan O'Donnell, Mayor of LaConner, expressed his concern in regard to cash flow. Mr. O'Donnell also inquired as to when and how the funds would be disbursed. Mike Woodmansee, Budget/Finance Director, stated that the first checks could be issued on August 29, 1995. Mr. O'Donnell inquired as to whether the Swinomish Tribe intended to repay LaConner the monies owed.

Nick Zaferatos, Swinomish Tribe, encouraged the Board to make the checks payable to the utility holders, as requiring two signatures could delay disbursement of funds.

Ms. Bynum requested that the available funds in the grant that will not be used for improvements should be used for Paul Schissler's salary and also thanked Paul Schissler and Mike Woodmansee for their time and contributions on this grant. Ms. Binan commended the Board on their efforts of procuring this grant.

Ms. Finn advised that a party on the Reservation Utility Improvement District list was in error and should be included on the Skagit County Sewer District No. 1 eligibility list.

Judy Booth, West Shore Tenants Association member, stated that she appealed the utilities for assessments and then discovered she was eligible for the grant. Ms. Booth indicated that if the funds are given to the Tribe while her case is in appeal, she would see no benefit and could lose her house. Ms. Booth requested that the Board not disburse funds until the appeals are completed.

There being no further public testimony, Commissioner Wolden made a motion to close the Public Hearing. Commissioner Anderson seconded the motion and it passed unanimously.

Mr. Woodmansee reiterated the reasons for applying for the grant, stating the money was available and that a group of citizens requested the County to apply on their behalf to help with the assessments.

Commissioner Wolden inquired about the appeal process and asked about the advantage of holding funds until the appeal process is completed.

A discussion ensued in this regard.

Mr. Anderson expressed his concern of supporting a procedure that could possibly place citizens in a position of the inability to pay for the updated systems.

Ms. Binan stated that there were 85 appellants in regard to the assessments.

Commissioner Anderson reiterated that the grant was originally requested to help individual property owners. Commissioner Anderson stated that it appears this help could in all actuality force these same people off the property stating that the beneficiary may not in reality benefit at all. Commissioner Anderson demanded that there is assurance that individuals would benefit from this grant.

Mr. Z stated that the original intent of the project was to address the public safety issue. Mr. Z mentioned that the tribe is seeking 100% occupancy and does not endorse anyone leaving the community or being forced to leave the community, as this would not be beneficial to the tribe.

Commissioner Anderson again stated his concern of lessee's possible displacement.

Commissioner Wolden stated that it appears that a situation has developed to benefit the tribal community rather than the eligible applicants. Commissioner Wolden stated his disagreements in the issuance of two checks.

A discussion ensued in regard to the time frame for funds to be available. Mr. Schissler stated that the grant had an August 1995 deadline, however, an extension could be applied for. Mr. Schissler stated that the State could extend the contract for a reasonable length of time, at the same time showing some disfavor in the extension as the funds are there but not being used.

Mr. Woodmansee stated that a letter could be sent to the State asking for 6 months extension before disbursing with valid reasons for requesting the extension.

After discussion, it was determined that the applicants would be contacted individually to confirm whether they were involved in the appeal process or not, and that more information would then be made available to the Board.

UPDATE - WASHINGTON STATE COMMUNITY ECONOMIC REVITALIZATION TEAM.

Don Wick, Economic Development Association of Skagit County, presented an update to the Board in regard to the Washington Community Economic Revitalization Team. Mr. Wick mentioned that the new ranking of priority projects includes, 1) sidewalk improvements to the City of Concrete, 2) the Skagit Investment in community, jobs and clean water - Economic Development Association of Skagit County and 3) the Skagit Industrial & Wetland Inventory - Economic Development Association of Skagit County.

Mr. Wick stated the remaining unranked is the feasibility study for the Regional Compost Facility and the City of Sedro Woolley has found funding elsewhere for the Stormwater Basin Planning.

Commissioner Anderson made a motion to approve the letter Mr. Wick submitted for the Boards signature. Commissioner Wolden seconded the motion and it passed unanimously.

PUBLIC HEARING - PROPOSED AMENDMENT TO SKAGIT COUNTY CODE 14.04.060 INDUSTRIAL DISTRICT ZONING REQUIREMENTS FOR MARCH POINT INDUSTRIAL AREA, EXTENDING THE EFFECTIVE DATE OF INTERIM CONTROLS.

Chairman Hart opened the Public Hearing.

Ian Munce, Planning Director, City of Anacortes, reviewed the history of the City of Anacortes' position in regard to urban growth and the interim controls.

Mr. Munce stated the City's support of the Planning Commission's recommendation to keep this area industrial and urged the Board to continue the interim controls.

Don Jones, March Point, stated that the property owners have not been represented by the City of Anacortes.

Bob Donovan, Anacortes, submitted signatures supporting the lifting of the interim controls, stating that interim controls are in place for something that may never happen.

Mr. Whitely, March Point property owner, stated his aversion to the City controlling that area and suggested raising the interim controls and allowing the property owners to take care of their own property.

Anthony Raab, Nielsen Brothers, questioned where the proposed changes to restructure the entire zone comes from and mentioned that it does not appear that the people have been asked. Mr. Raab asked for cooperation and a working plan between the City of Anacortes and the County.

Ed Little, March Point property owner, stated that there is a desperate need for a plan of action in the area. Mr. Little asked for accord to work the plan out between the County and the City of Anacortes. Mr. Little stated the need for some type of services out there beyond what is currently available.

Mike Harkey, March Point business owner, stated his opposition to the City of Anacortes imposing restrictions on March Point and requested lifting interim controls and against annexation.

Russell Gibbons, Anacortes, stated his opposition to the moratorium and suggested that the Anacortes council has received bad advice.

Chuck Moore, business owner in Summit Park, stated his opposition to installing sewers and excessive costs on the property areas in the March Point area and stated that many businesses would be effected by the proposed change in zoning.

Mayor Dean Maxwell, Anacortes, stated it is his desire to protect Anacortes from excessive development. Mayor Maxwell stated that if there is a change in the corridor, that someone needs to provide sewer service. Mayor Maxwell suggested keeping the interim controls in place until the comprehensive plan is in place.

Chairman Hart stated that the rumored feud between the County and the City of Anacortes are unfounded and that there are many areas that the two are in agreement. Mr. Hart stated that there is not finality with the interim controls.

Commissioner Wolden closed the Public Hearing. Commissioner Anderson seconded the motion and it passed unanimously.

Commissioner Wolden mentioned that it appears that the interim controls have only affected a few businesses located in the March Point area.

Commissioner Wolden stated that until the comprehensive plan is in place, there is no determination as to what type of business is permissible.

Commissioner Anderson stated his support of private property rights and mentioned that limitations should not be put on property owners by the County. Commissioner Anderson stated his opposition to keeping the controls in place, due to the opposition of the property owners of the area.

A discussion ensued in regard to the restrictions in place on certain uses and zoning issues.

Chairman Hart made a motion to continue the interim controls for no more than six months from this date. Commissioner Wolden seconded the motion. Commissioner Anderson voted in opposition of the motion. The motion passed.

Chairman Hart stated that if the comprehensive plan is not in place in six months time, the interim controls would be abolished.

ADJOURNMENT:

Chairman Hart made a motion to adjourn the proceedings. Commissioner Wolden seconded the motion and the motion was carried unanimously.

BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON





Robert Hart, Chairman




Harvey Wolden, Commissioner



Ted W. Anderson, Commissioner

ATTEST:



Debby Sims, Clerk
Skagit County Commissioners

Vol. 81 - 774