

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
Tuesday, June 25, 1996**

- 7:30 a.m. - 8:30 a.m. Commissioner's Staff Meeting.
- 8:30 a.m. - 9:00 a.m. Work Session - Operations Division Manager/Road District Maintenance Supervisors.
- Flag Salute.
- T 9:00 a.m. - 10:00 a.m. Planning & Permit Center - Roxanne Michael, Director.
- 1) Discussion and Possible Adoption of an Interlocal Agreement with the City of Anacortes regarding Urban Growth Area Administration.
- 2) Continuation of Discussion - Deliberation and Possible Adoption of Interim Ordinances No. 16075 and No. 16093, Land Use Controls.
- 10:00 a.m. - 11:00 a.m. Work Session - Mid-Year Budget Update.
- 11:00 a.m. - 11:15 a.m. Approval of Cash Collection Policies.
- T 1:15 p.m. - 2:00 p.m. Dedication of Emergency Communications Vehicle to Radio Amateur Civil Emergency Services (RACES).
- T 2:00 p.m. - 2:30 p.m. Planning & Permit Center - Roxanne Michael, Director.
- 1) Discussion - Deliberation and Possible Adoption of Interim Ordinance No. 16102 (Regulatory Reform).
- 2) Miscellaneous.

The Skagit County Board of Commissioners met in regular session on June 25, 1996, with Commissioners Ted W. Anderson, Harvey Wolden and Robert Hart present.

PLANNING AND PERMIT CENTER - Roxanne Michael, Director.

1. **Discussion and Possible Adoption of an Interlocal Agreement with the City of Anacortes regarding Urban Growth Area Administration.**

Roxanne Michael, Director, presented the Interlocal Agreement for the Boards signature.

A brief discussion ensued in regard to this agreement and Commissioner Wolden stated that more discussion should be done before adoption. Ms. Michael stated that this is addressing the commercial property only, thus eliminating the impact on residential property owners. Commissioner Hart commented on the agreement and stated that he had no questions on the clarity, pointing out that there seems to be better clarification now on these types of agreements.

Chairman Anderson stated that he agreement appears to be addressing the process portion of the issue.

Commissioner Wolden reiterated that they would like to see more clarity for the property owners in those areas that would be impacted by annexation.

The Board concurred that this agreement is merely a planning tool, agreeing to cooperation with the Cities and County to proceed and work on details.

Commissioner Hart made a motion to approve the Resolution as indicated above. Commissioner Wolden seconded the motion and it passed unanimously. **(Resolution No. 16210).**

2. **Continuation of Discussion - Deliberation and Possible Adoption of Interim Ordinances No. 16075 and No. 16093, Land Use Controls.**

Tom Karsh, Assistant Director, reminded the Board of Commissioners that there will be a Growth Hearings Board hearing tomorrow and that the hope is that the Growth Hearings Board will recognize the County's intention of complying with the Growth Management Act and accept the Interim Ordinance. Mr. Karsh reiterated that the Board of Commissioners had last week directed to amend the Interim Ordinance and that Planning is before the

Board today for formal approval of this concept.

Mr. Karsh stated that the Board has now had the opportunity to review the maps in this regard and also pointed out that there has also been insertion in the Ordinance, a number of Growth Management Act goals, hoping to show that the Growth Hearings Board that all thirteen goals are addressed.

Jay Derr, Attorney, reviewed the document and mentioned the main changes made by himself and the County Prosecuting Attorney, John Moffat, stating that the title of the Ordinance has been changed for clarification, and Mr. Derr continued to review the other changes as directed by the Board last week.

Commissioner Hart commended Mr. Derr and staff on producing this document. Commissioner Wolden expressed his hope that the Growth Hearings Board accepts this Ordinance. Chairman Anderson stated that his position has not changed and that this Ordinance appears to be very discriminatory. Chairman Anderson expressed his desire for the Growth Hearings Board should clarify what they want, rather than appeasing them by producing numerous Ordinances, in hopes that they will accept them. Chairman Anderson stated that he believes that we should move forth with our original Ordinance.

Commissioner Hart made a motion to approve the Ordinance Adopting Interim Land use Controls, repealing Ordinance No. 16075 and No. 16093, amending portions of Skagit County Code Chapter 14.04 and adding new sections to Skagit County Code to implement certain interim requirements of the Growth management Act and to plan for interim rural and urban developments pending the County's completion of its comprehensive plan and development regulations as required by Growth management Act. Commissioner Wolden seconded the motion. Commissioners Hart and Wolden voted in favor of the Ordinance. Chairman Anderson voted against the motion. The motion passed with a vote of 2 - 1. (Resolution No. 16211).

3. Miscellaneous.

Mr. Derr asked the Board for some direction in regard to an Interim Ordinance on the Natural Resource Lands. Chairman Anderson stated that he is not in favor of another Interim Ordinance. Commissioner Hart proposed that the Planning Commission draft a list of what items they can and cannot reach a decision on and send that list to the Board of Commissioners so that the Board of Commissioner can address those issues in order to move forward.

Commissioner Wolden stated that it is necessary to keep moving forward.

APPROVAL OF CASH COLLECTION POLICIES.

Judy Menish, Treasurer, reviewed the cash collection policies, specifically addressing the acceptance of foreign currency, acceptance of travelers checks, and check acceptance policies. On behalf of the finance committee, Ms. Menish offered these cash collection policies for approval.

Commissioner Hart made a motion to approve the cash collection policies as presented. Commissioner Wolden seconded the motion and it passed unanimously.

MISCELLANEOUS.

1. Staff presented an agreement with Skagitonians to Preserve Farmlands. Commissioner Hart made a motion to approve the agreement, as presented. Commissioner Wolden seconded the motion and it passed unanimously. (Contract No. 03015).

DEDICATION OF EMERGENCY COMMUNICATIONS VEHICLE TO RADIO AMATEUR CIVIL EMERGENCY SERVICES (RACES).

Tom Sheahan, Emergency Management Services, briefly reviewed the history of the emergency communications van and stated that this was intended to be used as a central communications van. Mr. Sheahan reported that this is available to all public agencies in Skagit County for emergency use. Mr. Sheahan reviewed the features of the van and pointed that it is available 24 hours per day.

Mr. Sheahan introduced several of the people in attendance today. Mr. Sheahan presented a plaque to Lee Kue and Irv Lindal, members of the Emergency Council.

Mr. Sheahan stated that in 1988 the van was dedicated to Gerald Martin, as he lost his life during the eruption of Mt. St. Helens. Bill Mavis, accepted the plaque in this regard.

Mr. Sheahan also thanked Mark Watkinson from the EMS department for his dedication and presented a plaque in this regard mentioning also that Dan Cain, Fire Marshall, constructed the wood portions of these plaques.

Ed Goodman, Sheriff, presented an award to Mike Lundberg, on behalf of the Emergency Management Council, for his dedication and service.

Commissioner Hart presented an award to Lt. Colonel Phillips and Commissioner Wolden presented an award to Chief Master Sergeant Jim Taft for his outstanding service.

Mr. Sheahan then presented an award to Senior Master Sergeant Allan Pastana for his dedication.

Chairman Anderson presented an award to the National Guard in recognition of service for the County.

Mr. Sheahan also thanked many sponsors, including the Washington Air National Guard, Interstate Batteries, Valley R.V. Skagit Transmission, Insta-Sign and GTE. He also thanked the Mayors of the County and the Board of Commissioners.

Chairman Anderson adjourned this portion of the agenda outside to view the emergency van.

Commissioner Wolden thanked Mr. Sheahan for his time and assistance and expressed his sincere appreciation in this regard. Commissioner Hart stated that this is a great example of what is right in America.

PLANNING & PERMIT CENTER - Roxanne Michael, Director.

1. Discussion - Deliberation and Possible Adoption of Interim Ordinance No. 16102 (Regulatory Reform).

Tom Karsh stated that this is a continuation of discussions taking place in earlier sessions. Mr. Karsh discussed the applications that were in process and stated that he would anticipate a few more that are likely to come through in the next few days. Mr. Karsh stated that the problem is that state law does not give Counties the authority to amend the short plat definition and that amending from five to nine was in violation of state law. Mr. Karsh asked for some direction from the Board as to what to do with the folks who have relied on changing of state law, including the eight applications that are in house and a few more in processing at the survey firms. Mr. Karsh reported that legally we are being advised that those applicants be notified, explaining that because of our error, we are unable to process these as short plats. Mr. Karsh pointed out that the main differences are SEPA related, as short plats are exempt from SEPA and long plats require paving of roads, thus, in house fees are more expensive.

Mr. Karsh indicated most of these would be outside urban growth areas. Commissioner Hart stated that we could waive the difference in the fees but do not know of a way to get out of SEPA. Commissioner Hart stated we could also expedite the process if possible.

Louis Requa, Skagit Surveyors, stated that five applications are in and all are outside Urban Growth Areas and indicated they have researched the additional costs from going from the short plat to long plat process.

Anthony Raab, Nielsen Brothers, commented on the impact that his business would have to endure. Mr. Raab asked where the legal advice came from to initiate this illegal procedure in the first place. Mr. Raab also reviewed his specific situation on the Bow Hill development and stated that approximately \$62,000 would be lost, since they had launched a project based on inaccurate information.

Mr. Requa suggested alternatives to try to save some of these costs that people have already spent and Mr. Raab asked for several leniencies in this regard.

Commissioner Hart discussed a group variance concept. A discussion ensued.

Chairman Anderson stated the need to clearly identify what the process is in order to eliminate appeals. Mr. Karsh pointed out that clearly we cannot process as we would like to process the applications. Mr. Karsh said it is premature to know what the costs will be and what we can allow under local ordinance. Discussed was the possibility of looking at modified road standards on an individual basis.

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Chairman Anderson suggested that we look first at the road situation, deal with the applications on an individual basis and make sure that there are not other applications.

Mr. Karsh reported that today we are stopping acceptance of all applications for short plats that exceed four lots and asked for thoughts on how to handle those projects that are under contract as a short plat. The Board stated that we must work with those folks.

Chairman Anderson asked the department to look at road standards and work with those folks in the pipeline as this is clearly our mistake and emphasized that he does not want to place citizens in position to file suit with the county.

Commissioner Wolden reiterated that we should not be obligated to short plats that were processed after the Board was made aware in a work session of this issue.

Anderson stated that we do not have the same powers as cities and towns and after the last meeting and that we were going to research this further. Mr. Derr reviewed the last few meetings.

Mr. Requa stated he was at the June 11, 1996, meeting and that he was made aware then that there was a problem and has advised his clients in this regard.

Mr. Karsh stated that there is not need for formal action today by the Board and continued on reviewing the draft document before the Board.

Mr. Karsh stated that on June 11, 1996, the draft had been modified for an appeal for an environmental threshold determination. If someone is unhappy with final determination, it can be appealed to the Hearing Examiner and to Board of Commissioners.

Mr. Karsh stated that short plat approval is not appealable except in superior court.

Mr. Karsh indicated that there is currently a provision stating that if you propose a dead end road that is more than 600 feet off a County road you need to request a variance form the Hearing Examiner. Mr. Karsh proposed that this is no longer necessary.

He also mentioned that there are more comments from legal counsel to be included in this document. Mr. Karsh stated that he would bring this document back to the Board during the next Planning session.

The Board asked Mr. Karsh to keep three Commissioners abreast of the situation.

ADJOURNMENT

Chairman Anderson made a motion to adjourn the proceedings. Commissioner Hart seconded the motion and it passed unanimously.



BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON



Ted W. Anderson, Chairman

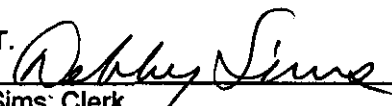


Harvey Wolden, Commissioner



Robert Hart, Commissioner

ATTEST.



Debby Sims, Clerk
Skagit County Board of Commissioners