

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
Monday, May 19, 1997

- *T 8:15 a.m. – 8:30 a.m. Presentation of Recommendation from Firearm's Range Committee.
- 8:30 a.m. – 9:00 a.m. Work Session – Operations Division Manager/District Maintenance Supervisors.
- 9:00 a.m. – 10:00 a.m. Public Works Department – Jan Keiser, Director.
- 1) Gear Bridge, C.B.P. 40110-1: a)Signature of Construction Plans, b)Signature of Resolution Calling for Bids.
 - 2) Lyman Hamilton Highway C.R.P. 9402-3E: a)Signature of Construction Plans, b)Signature of Resolution Calling for Bids.
 - 3) Discussion – City of Sedro Woolley Cook Road Sewer Project.
 - 4) Presentation – Overview of Equipment Rental and Revolving Fund.
 - 5) Miscellaneous.
- *T 10:00 a.m. – 11:00 a.m. Planning & Permit Center – Roxanne Michael, Director.
- 1) Deliberation and Possible Adoption of an Ordinance Adopting the County Comprehensive Plan.
 - 2) Deliberation and Possible Adoption of an Interim Ordinance Implementing the County Comprehensive Plan.
- 11:00 a.m. – 11:15 a.m. Public Comment Period.
- CONSENT AGENDA.
- MISCELLANEOUS.
- 1:30 p.m. – 2:00 p.m. Bid Opening – County Office Supplies.
- 2:00 p.m. – 3:00 p.m. Parks Advisory Board Update.
- 3:30 p.m. – 4:30 p.m. Executive Session – Personnel, Litigation and Land Acquisition.

The Skagit County Board of Commissioners met in regular session on Monday, May 19, 1997, with Commissioners Harvey Wolden, Robert Hart and Ted W. Anderson present.

Presentation of Recommendation from Firearm's Range Committee.

Jon Aarstad, Parks Department Director, presented a recommendation to the Board for the Firearm's Range Site Recommendation. Mr. Aarstad read the recommendation as follows:

At the completion of the Final EIS for the Coyote Ridge Firearms Range Study the Firearms Range Advisory Board members were contacted and questioned which site they would support in their continuing efforts to locate a firearms range in Skagit County. The Members of this committee voted in the following manner:

Of the 23 members of this committee 17 voted in favor of locating at Frailey Mountain, 1 member selected Coyote Ridge, 2 members entered a no opinion and 3 members were not present as they were out of town at the time of the voting.

Based upon the vote of the membership, the Firearms Range Advisory Board recommends locating the firearms range at Frailey Mountain and will continue to proceed with the next step to present this proposal to the Skagit County Hearings Examiner.

Chairman Wolden and Commissioner Hart concurred that the committee should proceed.

Public Works Department – Jan Keiser, Director.

1. **Gear Bridge, CBP 40110-1.**

- a) Young Soo Kim, Public Works, discussed the Gear Bridge project with the Board, and presented Construction Plans in this regard for the Board's signature. The Board signed the plans as presented.
- b) Mr. Kim also presented a Resolution Calling for Bids in regard to this project. Commissioner Hart made a motion to approve the Resolution, as presented. Commissioner Anderson seconded the motion and it passed unanimously. **(Resolution No. 16548).**

2. **Lyman Hamilton Highway CRP 9402-3E.**

- a) Ed Hawes, Public Works, discussed the Lyman Hamilton project, discussing the procedure ahead, the timeliness of this project and presented the Construction Plan documents in this regard. The Board signed the plans as presented.
- b) Mr. Hawes also presented a Resolution Calling for Bids in this regard. Commissioner Anderson made a motion to approve the Resolution, as presented. Commissioner Hart seconded the motion and it passed unanimously. **(Resolution No. 16549).**

3. **Discussion – City of Sedro Woolley Cook Road Sewer Project.**

Doug Barnet, Barnet Associates, representing the City of Sedro Woolley, discussed the Cook Road ULID anticipated project. Mr. Barnet stated that the project is not confirmed yet, however, if they proceed, the plans call for Cook Road to be closed during the time the sewer is being installed, which is approximately three weeks and Mr. Barnet announced that this will take place this summer. The closure will take place during the day, the contractor allowing vehicles to move through at night. The contractor will progress 100 feet per day depending on certain variables, such as how high the water table is. Mr. Barnet stated that the City will be working with the State of Washington DOT and County in regard to traffic control. Commissioner Anderson expressed his concern for the closure, as it is a major traffic route. Mr. Barnet mentioned that if the closure is an issue with the County, they will do whatever it takes to address the issues of concern and work with the County in this regard. Mr. Barnet stated that signs would be posted on I-5 in order to help with traffic control, as they anticipate the project causing a nightmare of traffic congestion. Chairman Wolden suggested that signs should be posted quite far south on I-5 listing alternative routes. The Board concurred that the completion of this project is very important, emphasizing however, the importance of planning the traffic control problems efficiently in order to lessen the impact. Mr. Barnet stated that the bid opening for the project is scheduled for June 4, 1997. At that time, if it is within budget constraints, the determination will be made whether or not to proceed.

4. **Presentation – Overview of Equipment Rental and Revolving Fund.**

Charlie Sisson, Public Works, discussed the main components of ER&R for the road maintenance programs. Mr. Sisson provided informative information in this regard and before completion of the presentation, the Board asked Mr. Sisson to return before the Board at a later date in order for this informational presentation to be videotaped for television as it contains excellent information for the public.

5. **Miscellaneous.**

There were no Miscellaneous items today.

Planning & Permit Center – Roxanne Michael, Director.

1. Deliberation and Possible Adoption of an Ordinance Adopting the County Comprehensive Plan.

The Board announced that copies of the draft ordinance were provided to them late Friday afternoon and that there are copies available today of the draft document for the public use during this discussion. Gary Christenson, Planning & Permit Center, stated that the ordinance has five sections and that today he would be summarizing. Mr. Christenson reviewed the following sections of the plan:

Section 1, comprehensive plan, incorporating planning commission findings.

Section 2, pertaining to Western Washington Growth Hearings Board Case No. 9520075 issues with regard to natural resource lands.

Section 3, Board of Commissioner issues, findings that the planning commission had forwarded to the Board.

Section 4, additional findings of fact that the Commissioners identified as part of the study sessions held last week.

Additional Finding 4.1, Bay View Regional Airport, as the Board instructed staff, an amendment has been added to include additional language.

Additional Finding 4.2, industrial forest land use designations, addressing Board of Commissioners changes.

Additional Finding 4.3, Rundgren/Pederson properties, addressing the Boards suggestions.

Additional Finding 4.4, the Boards interest in addressing existing network of dikes for non motorized trails.

Additional Finding 4.5 - Chairman Wolden discussed the zoning of Reservation lands, where in previous work session discussions he had supported Commissioner Anderson's recommendation to change this to Rural Reserve, 1 dwelling unit per 10 acres, or 2 dwelling units per 10 acres if clustered. Chairman Wolden announced that after doing some additional research, he has found that the recommendations that he presented last week during the work session deliberations were wrong and stated that he would like to change his support, based on this further research, to zone this Secondary Forest, which has a density limit of 1 dwelling unit per 20 acres. Chairman Wolden stated that one particular updated map was never brought to him, and that he had made his earlier decision based on pervious planning maps. Commissioner Anderson vehemently insisted that the maps had been provided to the Board and was agitated by the fact that Chairman Wolden had previously supported him in open work sessions in regard to this designation and was now changing his support. Chairman Wolden apologized, stating however, that after his research he was certain he would like to look at this issue again. Commissioner Hart attempted to clarify the situation. Chairman Wolden concluded that that due to the confusion of maps he would like to retract his previous support of the Rural Reserve designation of Reservation lands. Commissioner Hart supported him on his decision.

Jay Derr, Attorney, commented briefly on the procedure regarding this change.

Mr. Christenson continued with Additional Finding 4.6, addressing development code addresses Comp Plan goals and policies.

Section 5, continued with the review of priority items and a general review of the plan, concluding that the effective date would be June 1, 1997.

Chairman Wolden called for a recess until 11:00 a.m.

Planning staff returned at 11:15 a.m. to continue the discussion. Mr. Christenson stated that he has just made available to the Board the revised Ordinance based on the Board's new findings. On Page 25, under Findings of Fact 4.5, Mr. Christenson stated that based on the following findings the Board has determined that Secondary Forest-NRL land use designations is the most appropriate for the Swinomish Indian Reservation. Mr. Christenson continued be reading that section.

Mr. Christenson pointed out a couple of other formatting changes, one being on page 19 of the draft and discussed the relocation of several parts of this section into other portions of the plan. On page 24 of the draft ordinance, Planning Commission recorded motion findings are listed which were not adopted by the Board of Commissioners. Mr. Christenson read this portion of the plan into the record.

Commissioner Hart made a motion to approve the Ordinance, with the corrections discussed, in accordance with the Washington State Growth Management Act (RCW 36.70A); Repealing the Following: the 1982 Eastern District Comprehensive Plan; the 1980 South Central District Comprehensive Plan; the 1980 Southwest District Comprehensive Plan; the 1973 North Central District Comprehensive Plan; the 1975 Northwest District Comprehensive Plan; and the 1976 Islands District Comprehensive Plan; Addressing Western Washington Growth Management Hearings Board Case No. 95-2-0075 Issues; Amending Natural Resource Lands Ordinance No. 16291 Map Designations; and Identifying Priority Items Requiring Further Studies, Reports and Recommendations. Chairman Wolden seconded the motion.

Commissioner Anderson announced that he would be filing a complaint under the Appearance of Fairness Act, due to various factors involved. Commissioner Anderson stated that throughout this process, his views had been deliberately prevented from being considered for the plan. Commissioner Anderson announced he would not be voting for the plan for several reasons, citing the erosion of property rights and the violation of the public process as reasons. Commissioner Anderson stated that this has brought him to having very little or no confidence in the public process.

Commissioner Hart commented on the comp plan, stating that this is not exactly how he would have written the plan, however, after all the years of dealing with the issue, it has now been negotiated to the point of being a good comp plan with more input involved than any other document in the County and announced that, on that basis he will support the plan.

Chairman Wolden agreed with Commissioner Hart that there had been alot of input put into the plan over a long period of time, and even though he wasn't in total agreement, there was a need to proceed. In this regard, Chairman Wolden called for the question on this.

Chairman Wolden and Commissioner Hart voted in favor of the Ordinance Relating to Comprehensive Planning as identified as in Commissioner Hart's motion. Commissioner Anderson voted against the plan. The motion passed with a vote of 2-1. The Ordinance will be effective June 1, 1997. **(Resolution No. 16550)**.

2. Deliberation and Possible Adoption of an Interim Ordinance Implementing the County Comprehensive Plan.

This portion of the agenda was postponed due to the need for more preparation time by staff. A date of May 28th was discussed for bringing this back to the Board.

Public Comment Period.

Tom Solberg, Alger, thanked the Board for the opportunity to speak. Mr. Solberg stated his concern over the time anticipated to develop the regulations, his fear that it may become more restrictive than necessary, as then it becomes an enforcement issue.

Anthony Raab, Bellingham, discussed the recent questions brought forth about his continuing interest in the County when he lives in Bellingham. Mr. Raab just wanted to clarify this situation, stating that he feels very passionately about the comprehensive plan and stated that this is the reason he is still involved, as he cares alot about the people being affected by the plan. Mr. Raab mentioned that it appears that so many changes have taken place that no one can keep track of what is actually taking place and discussed the complexity of the issues. Mr. Raab brought forth his suggestions in regard to the adoption of the plan.

Joanne Lennox, Concrete, discussed the specifics of the GMA in regard to providing development rights and inquired as to the language being changed to development approvals rather than rights asking the Board when this was changed.

CONSENT AGENDA:

Commissioner Hart made a motion to approve the Consent Agenda, as presented. Commissioner Anderson seconded the motion and it passed unanimously.

• Commissioner's Office:

1. Record of the Proceedings of Monday, May 12, 1997.
2. Record of the Proceedings of Tuesday, May 13, 1997.
3. Designation of Associate Development Organization affirming that the County designates the Economic Development Association of Skagit County as the Associate Development Organization to coordinate economic development services for the County. This designation is in regard to CTED allowing the Local Development Assistance Division (LDA) of CTED to rely on the Associate Development Organization (ADO) to determine local economic development priorities and foster collaboration among all local economic development organizations. **(Approved)**.

• ARIS:

4. Personal Services Agreement with YMCA for the term of January 1, 1997, to December 31, 1997, to provide an after school child care for school aged children referred by the Skagit County ARIS Program. Compensation will be at the hourly rate of \$1,85 per referred child in the after school program. **(Contract No. 03496)**.

• Sheriff:

5. Out-Of-State Travel Request from Dean E. Miller to attend the Northwest Polygraph Examiners Association training in order to increase training and continue certification, on June 15 – 21, 1997. The total cost of travel will be \$705 which will include airfare, lodging, meals, registration and parking. **(Approved)**.

• Juvenile Probation:

6. Contract Addendum with Skagit Youth Services regarding the Skagit County Juvenile Probation Community Service Work Project adding additional scope of work and changes to compensation. **(Contract No. 02069)**.

• Facilities:

7. Quit Claim Deed to Dennis Parent and Lorna Parent Haycox correcting previous conveyance recorded under Auditor's File No. 8501020019. **(Deed No. 00444)**.

• Public Works:

8. Resolution Calling for Bids for Two or More New 1997 Tractors with Interchangeable Mower/Brush Cutter Attachments. **(Resolution No. 16552)**.
9. Joint Funding Agreement with the U.S. Department of the Interior allowing the USGS to install a dial-in telephone telemetry at the Skagit River near the Concrete gaging system to obtain gage height data during floods. The total cost for purchase and installation is \$6,200. **(Contract No. 03497)**.
10. Resolution and Interlocal Agreement Renewal with Dike District No. 20 for reimbursable work, provide materials, and equipment rental for five calendar years. **(Resolution No. 16553 & Contract No. 03498)**.

MISCELLANEOUS.

1.

Staff presented a Resolution in regard to Approval of Sick Leave Transfer for John Hadman. Commissioner Hart made a motion to approve the Resolution, as presented. Chairman Wolden seconded the motion and it passed unanimously. **(Resolution No. 16551).**

2.

Staff presented a Personal Services Agreement with Mitzel and Associates for the term of May 21, 1997, through May 28, 1997, for demolition and tree removal Skagit County Emergency Services complex at 2933/2901 East College Way, Mount Vernon, WA. 98273. Compensation will not exceed \$8,020.32. Commissioner Hart made a motion to approve the agreement. Chairman Wolden seconded the motion and it passed unanimously. **(Contract No. 03499).**

3.

Staff presented a Personal Services Agreement with Welch Enterprises, Inc. for the term of May 19, 1997, through May 21, 1997, to furnish the materials and perform the labor necessary for the completion of the removal and disposal of all asbestos materials present in the two buildings located at 2933 and 2901 East College Way, Mount Vernon. Compensation will not exceed \$1,639.64. Commissioner Hart made a motion to approve the agreement. Chairman Wolden seconded the motion and it passed unanimously. **(Contract No. 03500).**

4.

Staff presented an Agreement by and between the Skagit County Commissioners, the Sheriff of Skagit County and Sheriff's Office Support Staff represented by Service Employees International Union Local 120 and a Memorandum of Understanding to the Current Collective Bargaining Agreement. Commissioner Hart made a motion to approve the agreement. Chairman Wolden seconded the motion and it passed unanimously. **(Contract No. 03495).**

5.

Staff presented a Supplemental Agreement with Timmers Appraisal Services to provide appraisal services of office property located at 330 Pacific Place, Mount Vernon, Washington, in conjunction with the Community Development Block Grant for a Family Resource Center. Compensation will not exceed \$4,300. Commissioner Hart made a motion to approve the agreement. Chairman Wolden seconded the motion and it passed unanimously. **(Contract No., 03263).**

6.

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, May 19, 1997, by a majority vote, did approve for payment those vouchers included in the above mentioned list and described as follows:

Vouchers #7007-331, #7007-398, #7007-412, #7007412, #7007-436, #7007-448 through #7007-450, #7007-452 through #7007-478, #7007-480 through #7007-490, #7007-492 through #7007-498, #7007-500 through #7007-506, #7007-511 through #7007-526 in the total amount of \$1,457,469.82 and Warrants #174942 through #175778. **(Transmittal No. C21-97).**

Vouchers #PDRAWMY12382 through #PDRAWMY12579 and Warrants #89192 through #89389 in the total amount of \$87,860.25. **(Transmittal No. P-0997).**

Bid Opening – County Office Supplies.

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Dave Cunningham, Auditors Office, opened the six bids received as follows:

- 1) Zellerbach
Sacramento, CA

- 2) Office Depot
Kent, WA
- 3) Boise Cascade
Kent, WA
- 4) Alliance Office Products
Mount Vernon, WA
- 5) Corporate Express
Lynnwood, WA
- 6) College Way Office Products
Mount Vernon, WA

Mr. Cunningham stated that the bids would be reviewed and a recommendation for bid award brought back in the next couple of weeks.

Parks Advisory Board Update.

Joan Aarstad, Parks Director, introduced the Parks Advisory Board members present today, as John Semrau, Lloyd Brown, Carroll Dillon, Gene Johnson, Fred Vochatzer, and Geneva Sasnett. Parks Advisory Board members Don Zorn, Robert Pickett, and Jim Futrell were not in attendance. Parks staff Tracy Good-Beuckman, Kami Manley, Marshall Pederson and Pete Mayer were also in attendance.

Mr. Semrau reviewed the history of the Parks Board and discussed the various issues the Parks Board addresses. Mr. Semrau reported that since the last meeting with the Board, they have had a very successful year and proceeded to review some of these results. Mr. Semrau stated that it appears at this time, that additional projects wouldn't be prudent, as they have a full plate in front of them. Mr. Semrau continued by discussing the Comprehensive Plan stating that the Comprehensive Park, Recreation, Open Space and Trail Plan as the most important issue facing them for the remainder of 1997, and mentioned that an updated comp plan is necessary for the advisory committee to receive grant funding for their projects.

Mr. Semrau discussed the importance of a Centralized Headquarters, reviewed in detail the demands for services creating excessive Workloads and diminishing efficiency, and commented on the need for Closure to Long Term Projects such as the Comprehensive Plan, Fire Arms Range, Dream Field, Northern State Master Plan, Burlington Edison Regional Park, Resource Management Program Maintenance Management Program, Sedro Woolley Playfields, Pressentin Park and the Centennial Trail. Mr. Semrau continued by discussing the Indoor Facilities, stating that this is a high priority due to the ongoing efforts and frustrations in trying to accommodate community events and recreational activities held in the County. Also discussed was what Mr. Semrau cited as the utmost important issue - Funding. Mr. Semrau emphasized the necessity of this issue being addressed for *departmental survival versus the on-going pressure to be self-supporting*. Mr. Semrau reviewed the vision and goals of the Parks Department, mentioning that unfortunately the budget constraints make it difficult for the department to proceed efficiently in providing services that enhance the quality of life in the County. Mr. Semrau discussed the funding available for Best SELF and the Juvenile Justice Programs, and expressed a desire to have all youth programs funded through the Parks Department. Mr. Semrau also suggested a scholarship fund be developed and considered in the next budget. Mr. Semrau asked that following the tour that the Board requested of Northern State property, that a work session be scheduled for the remainder of the day for discussion.

Lloyd Brown discussed the comprehensive plan and mentioned that parks need to be funded for the future in order to provide recreation areas for the increasing population of the County. Mr. Brown stated it is not fair to simply have children playing soccer or little league at 3:00 a.m. due to lack of available fields and facilities. Mr. Brown discussed developing a fair means of securing funding for these Parks projects. Also discussed was the need for the Parks Department to have funds available for additional staff so that staff can make immediate application for grant funding, as they have missed grants due to the lack of staff time to make application in a timely matter and that there is no cash

matching funds for these grants. Mr. Brown also discussed impact fees and reported that the Parks Board is anxious to work with the Board of Commissioners as the County grows, in order to meet the capital needs.

Geneva Sasnett thanked the Board for their past support, emphasizing however, the urgent need for a Centralized Headquarters facility, stating that this would provide the staff the tools to efficiently provide good service to the community. Ms. Sasnett suggested the construction of such a facility to be moved to the top of the priority list in order to meet the needs of the Parks Department.

Carroll Dillon spoke of the eagerness and enthusiasm of the current Parks staff, who are anxious to be efficient and productive, but are lacking the tools necessary to be able to perform at top level. Mr. Dillon discussed the Best SELF program as a potential means to provide funding for the Parks Department and suggested that it would possibly be better operated through the Parks Department utilizing a better use of existing funds.

Commissioner Hart clarified that Best SELF funding is not cash money out of the County budget and that 80 percent of the funding is coming from donations or outside sources. Ms. Sasnett asked if the Board would agree for the Parks Department to be the Administrator of the Best SELF Program. A discussion ensued in regard to the operation of the Best SELF Program and Chairman Wolden and Commissioner Hart reviewed the program, reporting that this program is a partnership with many other entities. Commissioner Hart discussed the fact that Best SELF is a very large program and a huge endeavor for anyone to undertake. A discussion ensued regarding the estimated percent of staff time used for Best SELF activities. Chairman Wolden stated that this might be worth reviewing.

Mr. Semrau discussed the County's role in providing recreational programs and mentioned that it is possible for some of the good programs will eventually be lost to the Cities, if funding is not available for the recreation staff.

Chairman Wolden stated that there is not money in the general fund to build a new building, however, there are other funds that could be gathered and moved to fund this sort of venture, suggesting the possibility of timber harvesting to provide some funds. Chairman Wolden and Commissioner Hart commented on impact fees and stated that they disliked the idea of using impact fees for these purposes.

Chairman Wolden stated that they realize that there have been more projects given to Parks in the last four years than ever, and stated that it is the Board's hope that the projects can be completed with positions at the lower end rather than the upper end of staffing. Commissioner Anderson stated that the trend doesn't seem to be facilities where the taxpayer is carrying the entire load, but rather partnerships that can provide the services together with less impact to the taxpayer.

A discussion ensued in regard to the priority of the projects and the scheduling of a Northern State Tour and work session.

ADJOURNMENT:

Chairman Wolden made a motion to adjourn the proceedings into Executive Session. Commissioner Hart seconded the motion and it passed unanimously.



ATTEST.

Debby Sims
Debby Sims, Clerk of the Board
Skagit County Commissioners

BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON

Harvey Wolden
Harvey Wolden, Chairman

Robert Hart
Robert Hart, Commissioner

Ted W. Anderson, Commissioner

NOTICE OF CONTINUANCE

Notice is hereby given that the Skagit County Commissioners' has continued the public hearing/public meeting from 12:00 a.m.

May 19 1997 to 1:30 p.m. May 19 1997 or as soon thereafter as possible in Room, 202A of the County Administration Building in Mount Vernon, Washington, in order to continue to receive testimony and information and/or to continue deliberation on the following matter(s):

- Planning - Permit Center -
- 1) Deliberation + Possible Adoption of an Ordinance Adopting the County Comprehensive Plan.
- 2) Deliberation + Possible Adoption of an Interim Ordinance Implementing the County Comprehensive Plan.

This notice is given in accordance with Chapter 42.30, Revised Code of Washington.

Debby Sims Signed
Clerk of the Board Title
May 19, 1997 Date

AFFIDAVIT OF POSTING

I, Debby Sims, hereby certify that on 5/19/97, 19__ I did post the above notice in a conspicuous place located on or near the main entrance to Hearing Room 202A County Administration Building, Mount Vernon, Washington 98273.

Debby Sims
Signature

ACKNOWLEDGEMENT

State of Washington
County of Skagit

One this day personally appeared before me

Debby Sims
to be known to be the individual described in and who executed the within and foregoing instrument and acknowledged to me that She signed the same as her free and voluntary act and deed for the uses and purposes therein mentioned.

Patti J. Chambers
Notary Public in and for the state of Washington, residing at Mt. Vernon, Date: 5/19/97

