

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
Tuesday, March 31, 1998

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| 7:30 a.m. – 8:30 a.m. | Commissioners' Staff Meeting. |
| 9:00 a.m. – 9:30 a.m. | Presentation by Economic Development Association of Skagit County (EDASC) regarding Washington Community Economic Revitalization Team (WA-CERT) Grant Funding. |
| 9:30 a.m. – 10:00 a.m. | Discussion – Update on the Cook Road Playfields. |
| 10:00 a.m. – 10:30 a.m. | Signature – Call for Bids for Demolition/Clearance/Disposal of Eleven (11) Residential Properties Purchased by Skagit County with Hazard Mitigation Grant Funds Sponsored by the Federal Emergency Management Agency. |
| 10:30 a.m. – 11:00 a.m. | Discussion – Department of Ecology Grant re: Roadside Litter Pick-Up. |
| 11:00 a.m. – Noon | <u>Planning & Permit Center – Roxanne Michael & Tom Karsh, Co-Directors.</u> <ol style="list-style-type: none">1) Discussion and Possible Adoption of an Interim Ordinance Implementing the City of Mount Vernon's Development Standards within the Urban Growth Area.2) Discussion and Possible Adoption of a Memorandum of Understanding for Establishing Procedures for the Administration of a Cooperative Land Use Agreement Between The Swinomish Indian Tribal Community and Skagit County.3) Discussion and Possible Adoption of a Memorandum of Agreement with Public Utility District No. 1 of Skagit County and the City of Anacortes for the Updating of the Coordinated Water System Plan. |

The Skagit County Board of Commissioners met in regular session on Tuesday, March 31, 1998, with Commissioners Robert Hart, Ted W. Anderson and Harvey Wolden present.

PRESENTATION BY ECONOMIC DEVELOPMENT ASSOCIATION OF SKAGIT COUNTY (EDASC) REGARDING WASHINGTON COMMUNITY ECONOMIC REVITALIZATION TEAM (WA-CERT) GRANT FUNDING.

Don Wick, Economic Development Association of Skagit County (EDASC), indicated that this meeting is for the quarterly update of WA-CERT projects. He explained that two additional projects are being submitted, one from the Skagit Fisheries Enhancement Group and the other from the City of Mount Vernon. He briefly explained the scope of these two projects.

Mr. Wick reviewed the previous list of projects in their priority order.

Arn Thoreen, from Skagit Fisheries Enhancement Group, reviewed the project establishing a natural spawning area for Chinook salmon, and making the area accessible to the public. He explained the exact location of the project on the Baker River

Paul Schissler County Grant Writer, discussed the City of Mount Vernon's request for funds for the acquisition of floodway properties in West Mount Vernon, together with the associated development of a park in the area. He explained that there is also a need for infrastructure upgrades in the West Mount Vernon area. Mount Vernon also has major plans for revitalization of the downtown area on both sides of the Skagit River. Unfunded items include the floodway projects, Edgewater Park development, Main Street improvements, and the convening of a telecommunications conference to name a few. All of these items would be wrapped into this application for

funds. Mr. Schissler confirmed, upon a query from Commissioner Wolden, that the proposed dollar amount is \$5,000,000.

Commissioner Anderson stated he would not want to preclude others from enjoying this pool of funds by approving such a large amount by the City of Mount Vernon.

Commissioner Wolden concurred with Commissioner Anderson's comments, and stated that the Fisheries Enhancement project should be moved to the second priority.

Chairman Hart indicated that he would like to see the West Mount Vernon floodway project separated out from the other City of Mount Vernon proposals, as State, Federal and local monies have already been invested in this project, and it needs to be completed. He indicated that the other components to Mount Vernon's request should have a lower priority.

The Board indicated they would like to break out the West Mount Vernon project to be listed as no. 3, with the Fisheries Enhancement Project listed as no. 2.

A discussion ensued on funding mechanisms, and the need to prioritize the City of Mount Vernon's items.

Commissioner Wolden moved to reprioritize the projects, adding the Fisheries Enhancement Project as No. 2 and the West Mount Vernon Floodway Project as No. 3. Commissioner Anderson seconded the motion, which passed unanimously. **(Resolution to be provided by Staff at a Later Date)**

DISCUSSION – UPDATE ON THE COOK ROAD PLAYFIELDS.

Brian Stiles, Sedro Woolley, indicated that he is before the Board on behalf of the non-profit Sedro Woolley Playfield Association. He reviewed a summary of the project's accomplishments to date. He stated that the facility is being utilized by many groups, and detailed several events forthcoming at the Cook Road Playfields. He stated that the facility was designed for kids, and, consequently, needs to be extremely safe.

Mr. Stiles reviewed a letter that was given to the Board detailing the various funding entities which have supported the project. A group has pledged to raise \$20,000 together with their donated labor for construction of an off-site trail that will get kids and others to and from the complex. He stated that in-kind contributions and volunteer labor has been an incredible effort by the Sedro Woolley community and throughout the County. He reviewed the projects that have been completed this year. Mr. Stiles asked about additional funding possibilities from the County. He detailed several concerns at the Playfields including the need for an asphalt trail and additional lighting. He stated that approximately \$50,000 would be needed for the additional projects that he detailed.

Mike Janicki reviewed the details for the field trail system and the possibility of connecting with other proposed trails in the area. He outlined the proposals for additional lighting. He next reviewed the proposals for additional fencing. He stated that there are many things that need to be done.

Commissioner Wolden suggested that perhaps "special paths" funds could be used for this trail. After a brief discussion, Alicia Huschka, Budget Manager, concurred with Commissioner Anderson's comments that this, in fact, may be a stretch to consider using the "Special Paths" funds.

Chairman Hart indicated that the request for \$20,000 in real estate excise tax funds could be reviewed by the Real Estate Excise Tax Committee.

Commissioner Anderson moved to recommend to the Real Estate Excise Tax Committee to consider \$20,000 additional funding for the Cook Road Playfields. Commissioner Wolden seconded the motion, which passed unanimously.

SIGNATURE – CALL FOR BIDS FOR DEMOLITION/CLEARANCE/DISPOSAL OF ELEVEN (11) RESIDENTIAL PROPERTIES PURCHASED BY SKAGIT COUNTY WITH HAZARD MITIGATION GRANT FUNDS SPONSORED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

Corey Schmidt, Assistant Building Official, presented to the Board a Call for Bids for Demolition/Clearance/Disposal of 11 Residential Properties Purchased by Skagit County with Hazard Mitigation Grant Funds sponsored by the Federal Emergency Management Agency. He advised that it is estimated that \$10,000 per property is a reasonable expectation for such demolition.

A brief discussion ensued on the details of this project.

Commissioner Anderson moved to approve the Call for Bids as presented by Mr. Schmidt. Commissioner Wolden seconded the motion, which passed unanimously. (**Resolution No. 16940**)

DISCUSSION – DEPARTMENT OF ECOLOGY GRANT RE: ROADSIDE LITTER PICK-UP.

Sheriff Ed Goodman turned the meeting over to Robin LaRue, Public Works Staff, to talk about the Department of Ecology (DOE) Roadside Litter Pick-Up grant.

Mr. LaRue stated that this \$30,000 grant has generated much interest and there are many things that can be done. The DOE has put together a program where the County can apply for \$30,000 for litter clean-up or illegal dumpsite clean-up. Various other entities can apply to the County for portions of the monies obtained from DOE. He detailed the various groups who have already contacted him. Public Works would like to clean-up some of the illegal dumpsites using crew from the jail. He advised that the grant application would be coming back to the Board for their approval in the near future. The grant application is due by June 30.

Mr. LaRue gave several examples of what the grant monies could be used for, and stressed that these projects must involve public lands and not private lands. This money can be used as seed money to start a program utilizing a coordinated effort of jail crews and work crews to do a variety of things throughout the County.

Commissioner Anderson indicated that he would like to utilize these funds to offset tipping fees, rather than funding a supervisory position to coordinate projects and crews.

Sheriff Goodman explained that only 10% of this money could be used for supervision. He stated that he is receiving more and more requests for inmate labor. He stated that he is presently giving up 15-18 inmates every day for work crews. He stated that the County is getting to the point where there are so many requests that it is difficult to coordinate the crews. He explained some of the savings that can be utilized, citing the example of inmates washing SKAT buses and saving SKAT \$98,000 last year.

Sheriff Goodman explained his concerns in administering this program. He stated that his department is getting "nickel and dimed" to death in coordinating this program.

Commissioner Anderson stated that one of the biggest challenges is waiving tipping fees. He stated that he would like some of this money used to offset tipping fees for volunteer groups.

Chairman Hart stated that the Board needs to decide if this is a high priority project, then some sort of coordinating position should be considered during the budget process.

Commissioner Wolden stated that the cost benefit is unbelievable for this. He indicated the need to set up a committee to consider the various aspects of this project.

Chairman Hart suggested that the group come back within 2-3 weeks to discuss this matter further, or to perhaps develop a scope of work for the project.

PLANNING AND PERMIT CENTER – Roxanne Michael and Tom Karsh, Co-Directors.

1. **Discussion and Possible Adoption of an Interim Ordinance Implementing the City of Mount Vernon's Development Standards within the Urban Growth Area.**

Kendra Smith, Senior Planner, stated that pursuant to the Comprehensive Plan, joint planning with the cities is necessary in regards to development standards within the Urban Growth Area of the City of Mount Vernon. She explained the need for an added indemnification clause to the previous agreement in this regard. She stated that the proposal today is for an interim ordinance, with a public hearing to be scheduled within 60 days.

Chairman Hart stated that this is nothing different from what is included in the current City's Development Code.

Tom Karsh, Co-Director, stated that any developments within the urban growth areas need to have a coordinated review of the proposed project by both the City and the County. Chairman Hart confirmed that this proposed ordinance will reduce confusion and expedite applications submitted to the Planning Department.

Commissioner Wolden queried Ms. Smith on whether there would be a dual permit process required in this area. Ms. Smith confirmed that the County would process permits pursuant to Mount Vernon's development standards. She stated that the City would lend technical assistance in this regard.

After a brief discussion, Commissioner Wolden moved to approve the Interim Ordinance Implementing the City of Mount Vernon's Development Standards within the Urban Growth Area. He further moved to approve the Addendum to the Interlocal Agreement Between the City of Mount Vernon and Skagit County. Commissioner Anderson seconded the motion, which passed unanimously. (**Ordinance No. 16941, Contract No. 03755**)

2. **Discussion and Possible Adoption of an Interim Ordinance Implementing the City of Anacortes' Development Standards within the Urban Growth Area.**

After a brief discussion, Commissioner Hart moved to approve an Interim Ordinance Implementing the City of Anacortes' Development Standards within Urban Growth Areas. He further moved to approve the Addendum to a Previous Resolution memorializing an interlocal agreement with the City of Anacortes regarding urban growth areas. Commissioner Wolden seconded the motion. The motion passed unanimously. (**Ordinance No. 16942, Resolution/Interlocal Agreement No. 16210**)

3. **Discussion and Possible Adoption of a Memorandum of Understanding for Establishing Procedures for the Administration of a Cooperative Land Use Agreement Between The Swinomish Indian Tribal Community and Skagit County.**

Gary Christensen, Senior Planner, reviewed a draft Memorandum between the Swinomish Indian Tribal Community and Skagit County regarding cooperative land use planning. He explained that the purpose of the MOU is to create a "good neighbor policy" by improving communications and coordination between each government with regard to managing growth and administering land use regulations within the Swinomish Indian Reservation regardless of land ownership and land use regulatory authority. He explained that the MOU is a hybrid of sort of an MOU that appears in a cooperatively developed tribal/county draft comprehensive plan for the Swinomish Indian Reservation. The Northwest Renewable Resource Center had assisted the tribe and county in these planning efforts.

Mr. Christensen reviewed the specifics of the Agreement.

Chairman Hart commented on the cooperative spirit of this Agreement, noting that there will always be disagreements, but the document allows for methods to resolve such conflicts. He stated that the attempt to have a process to mediate issues is good. He indicated that he supports this proposal.

Mr. Christensen stated that he would like to bring this document back to the Board for approval after further review and fine-tuning.

Commissioner Anderson stated that, although he is supportive of this concept, he is concerned that we need to realize that we are serving constituents, and if the process becomes too involved or cumbersome, it is not to the benefit of constituents.

Nick Zaferatos, Swinomish Tribe representative, stated that it has been 14 years since this document emerged, and that the land use comprehensive use policies contained therein are nearly identical with the County policies. He stated that this Agreement is intended to work hand-in-hand with County ordinances. He stated that the Tribe is sensitive to Commissioner Anderson's comments regarding overburdening constituents with duplicative procedures. Mr. Zaferatos indicated that the County and Tribe must make sure the two entities are talking to each other in order to get the correct answers for individuals. He stated that there are many details that must be addressed in the future, and this is an effort to preserve the unilateral decisions of the County to make sure all parties are on the same page.

Mr. Zaferatos briefly discussed the process for the proposed Swinomish Marina. He stated that the Tribe will be running a dual track with the County. He explained that currently the only development rights on the property are agricultural rights. He stated that the Tribe believes that this is a cooperative effort that the County is fully committed to, and that no one else in the nation has attempted to formally adopt this type of cooperative agreement.

Brian Cladoosby, Swinomish Tribal Chairman, discussed the many years of work that have gone into this MOU. He stated that the best interests can be served by the County and the Tribe working together, by being a model for the rest of the country. He explained that even though the County has jurisdiction on fee simple land, cooperative land use agreements are the way to proceed.

4. Discussion and Possible Adoption of a Memorandum of Agreement with Public Utility District No. 1 of Skagit County and the City of Anacortes for the Updating of the Coordinated Water System Plan.

Tom Karsh, Co-Director, explained the history of the Coordinated Water System Plan (CWSP). He stated that the CWSP was the legal process to protect the usage of the Skagit River for the people of Skagit County. The Plan must be updated every five years. The CWSP was approved as a sub-element of the County Comprehensive Plan, and it, too, needs to be updated on a five-year basis as well. The CWSP does not currently incorporate some of the requirements in the Comprehensive Plan. There is also a Stipulated Agreement with Friends of Skagit County (Friends), Skagit County and the Western Washington Growth Management Hearings Board (WWGMHB), which states that the County will update the CWSP.

Mr. Karsh explained that Staff has an agreement for the Board's signature, which, if signed, would create an interlocal partnership with the City of Anacortes, PUD and Skagit County, to pay for a consultant to proceed with a newly appointed water utility coordinating committee. He advised that that project would be managed by Skagit County, and contract would be handled by PUD. The coordinating council will be comprised of every water system provider, or any existing public water system desiring to expand their service areas. One big change since this process in 1993, as a sub-element of the Comprehensive Plan, this must comply with the County's Public Participation program, and there needs to be a Citizens' Advisory Committee (CAC) charged with reviewing and commenting on what the council would come up with. It would also need to go through the Planning Commission process.

Mr. Karsh detailed some of the concerns in this regard including the impact of the Critical Areas Ordinance on private wells for individual homesites.

Chairman Hart stated that it would behoove the Board to include a representative from the single-family well-user family in this process. He indicated that the committee will probably not reach a consensus, but will be ruled by majority vote.

Mr. Karsh advised that in the Agreement before the Board today, the County can support three members to the Committee. It has been proposed to have Gary Christensen be the appointee for Planning, with Lorna Parent being the appointee for the Health Department. There remains one legislative appointee also.

A discussion ensued on the necessity to include a well-drilling expert on the CAC or WUCC.

Commissioner Anderson stated that if wells are going to be impacted, it is necessary for someone with family well expertise to sit on the committee.

Upon query from the Board, Scott Fowler indicated that he would be willing to serve on the committee as the Board's legislative appointee.

Commissioner Hart moved to approve a resolution and Memorandum of Agreement to update the Skagit County Coordinated Water System Plan. Commissioner Anderson seconded the motion, which passed unanimously. **(Resolution No. 16943, Contract no. 03898)**

MISCELLANEOUS.

1. 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, March 31, 1998, the Board, by a majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

Warrant numbers 17726 through 17753 from Clearing Fund 696 in the total dollar amount of \$87,240.37 (Transmittal No. C-21-98); and

Payroll warrants numbered 13181 through 13258 in the total dollar amount of \$86,619.83.

ADJOURNMENT.

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

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**



Robert Hart, Chairman


Ted W. Anderson, Commissioner



Harvey Wolden, Commissioner



ATTEST:



Patti J. Chambers, Clerk of the Board
Skagit County Board of Commissioners