

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
Tuesday, December 1, 1998**

- 7:30 a.m. – 8:30 a.m. Commissioners' Staff Meeting.
- 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 – Chal Martin, Director.
- 1) Public Hearing – Proposed Road Name Change from Entner Road, #13930, to Entner Lane, #13930.
 - 2) Discussion – Proposed 1999 Gravel Road Condition Rating.
 - 3) Signature – Resolution Adopting the 1999 Annual Construction Program.
 - 4) Signature – Resolution regarding Barrier Protection Program 1999 Guardrail Installations (Prairie Road #50000, McLean Road #44000, South Skagit Highway #0700, Lake Cavanaugh Road #00200, Milltown Road #80260, Mount Vernon Big Lake Road #76000, March's Point Road #16610, Havekost Road #10910.
 - 5) Miscellaneous.
- 2:00 p.m. – 3:00 p.m. Planning & Permit Center – Tom Karsh, Director.
- 1) Signature – Personal Services Contract with E.D. Hovee & Co. to conduct Commercial and Industrial Needs Analysis.
 - 2) Discussion and Possible Adoption of an Ordinance Adopting the Development Standards of the City of Mount Vernon within their Urban Growth Area.
 - 3) Discussion and Possible Adoption of an Ordinance Adopting the Development Standards of the City of Anacortes within their Urban Growth Area.
 - 4) Signature - Resolution to Waive Fees Associated with the Flood Hazard Mitigation Grant Program.
 - 5) Miscellaneous.
- 3:00 p.m. – 4:00 p.m. Executive Session – Personnel, Litigation and Land Acquisition.

The Skagit County Board of Commissioners met in regular session on Tuesday, December 1, 1998, with Commissioners Ted W. Anderson and Harvey Wolden present. Chairman Robert Hart's absence was excused for the morning proceedings.

PUBLIC WORKS DEPARTMENT – Chal Martin, Director.

1. **Public Hearing – Proposed Road Name Change from Entner Road, #13930, to Entner Lane, #13930.**

Steve Flude, Assistant County Engineer, reviewed the exact location of the subject roadway.

George Fisher, Entner Road, advised the Board that the residents along the roadway had signed the petition requesting this name change to Entner Lane.

There being no further public comment forthcoming, Commissioner Wolden moved to close the public hearing. Commissioner Anderson seconded the motion, which passed unanimously. The public hearing was closed.

Commissioner Anderson moved to approve the road name change from Entner Road to Entner Lane as requested by the residents along the roadway. Commissioner Wolden seconded the motion, which passed with a unanimous vote. **(Resolution No. 17233)**

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2. Discussion – Proposed 1999 Gravel Road Condition Rating.

Mr. Flude indicated that the 1999 Public Works Department Budget included a gravel road improvement plan. He reviewed a map of the proposed partial roadways to be improved together with a gravel road condition rating form. He stated that this program would involve converting 5 miles of gravel roadway to a hard surface roadway. Mr. Flude indicated that portions of the following roads will be upgraded in 1999 with a BST surface treatment: Hobson Road, Peter Burns Road, Medford Road, Sauk City Road, Hansen Creek Road, and Blair Road.

Commissioner Wolden asked about possible additional funding from the County Road Administration Board (CRAB). A discussion ensued regarding this possibility. Commissioner Wolden further suggested eliminating the need for a road grader in a specific area of the County would be of great cost benefit.

Cliff Butler, Road Supervisor, commented on the dust problems of gravel roads.

Commissioner Anderson suggested adding Yeager Road to this list.

After a brief discussion Mr. Martin stated that he would work with the Road Supervisors to develop a list incorporating the Board's suggestions, and will bring this matter back to the Board for their consideration.

3. Signature – Resolution Adopting the 1999 Annual Construction Program.

Mr. Flude presented a Resolution regarding the Adoption of the 1999 Annual Construction Program. After a brief explanation, Commissioner Anderson moved to approve the 1999 Annual Construction Program, together with the capital equipment purchases necessary thereto. Commissioner Wolden seconded the motion, which passed unanimously. (Resolution No. 17233)

4. Signature – Resolution regarding Barrier Protection Program 1999 Guardrail Installations (Prairie Road #50000, McLean Road #44000, South Skagit Highway #0700, Lake Cavanaugh Road #00200, Milltown Road #80260, Mount Vernon Big lake Road #76000, March's Point Road #16610, Havekost Road #10910.

Mr. Flude reviewed the exact location of the proposed barrier protection program for 1999 guardrail installations. A discussion ensued about specific locations and areas.

Mr. Martin suggested that the Department bring this back to the Board with pertinent maps and/or a tour of the proposed sites.

5. Miscellaneous.

There were no miscellaneous items for discussion.

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

Warrants numbered 33910 through 34265 from Clearing Fund 696 in the total dollar amount of \$472,263.18 (Transmittal No. C-84-98).

Commissioner Hart was present for the remainder of the proceedings. Commissioner Wolden was absent for the following two miscellaneous items.

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2. Staff presented a Call for Public Hearing to consider testimony regarding the availability of Community Development Block Grant (CDBG) funds and how these funds may be used to assist low- and moderate-income individuals, including the provision of public services, community and public facilities, economic development and affordable housing. The public hearing will be held on Thursday, December 17, at 8:00 a.m. Commissioner Anderson moved to approve the Call for Public Hearing as presented by Staff. Commissioner Hart seconded the motion, which passed unanimously. **(Resolution No. 17234)**
3. Staff presented an Amendment to an existing contract with Gordon Maxwell, changing the name of the contract to Hoekstra & Hoekstra, CPA's. All other terms and conditions of the contract remain in effect. Commissioner Anderson moved to approve the Amendment as presented. Commissioner Hart seconded the motion, which passed unanimously. **(Contract No. 04107)**

Commissioner Wolden was present for the remainder of the proceedings.

PLANNING & PERMIT CENTER – Tom Karsh, Director.

1. **Signature – Personal Services Contract with E.D. Hovee & Co. to conduct Commercial and Industrial Needs Analysis.**

Kirk Johnson, Assistant Planner, presented a contract with E.D. Hovee & Co. to assess the land needs associated with commercial and industrial areas outside of urban growth areas. On query from Commissioner Anderson, Mr. Johnson indicated that this is a different agreement from the agreement with the Skagit Council of Governments. Mr. Johnson advised that the Department believes that this report will contain critical and useful information regarding revised commercial and industrial policies needed to address invalidity and compliance issues before the Growth Management Hearings Board and the implementation of HB 6094.

Commissioner Anderson moved to approve the Contract with E.D. Hovee as presented by Mr. Johnson for a not-to-exceed amount of \$13,000. Commissioner Wolden seconded the motion, which passed with a unanimous vote. **(Contract No. 04159)**

2. **Discussion and Possible Adoption of an Ordinance Adopting the Development Standards of the City of Mount Vernon within their Urban Growth Area.**

Kendra Smith, Assistant Director, reviewed with the Board the public hearing held before the Planning Commission on November 23rd, and the resultant Planning Commission recommended adoption of Mount Vernon's development standards. She advised that the Planning Commission has included a condition for approval that the interlocal agreement with the City be modified to include the alternative process provided in Policy 2.2.2 of the Urban Growth Element of the Skagit County Comprehensive Plan. She reviewed the provisions of Resolution 17029, with specific language consistent with the Skagit County Comprehensive Plan.

Commissioner Anderson stated that the interlocal agreements with the various cities should be consistent and in compliance with the Skagit County Comprehensive Plan.

Ms. Smith noted that during the public hearing, the Planning Commission indicated that they would adopt Mount Vernon's standards, as long as Policy 2.2.2 of the Comprehensive Plan was incorporated in the relevant interlocal agreement. She explained that the Board has an option to adopt the Planning Commission's recommendation, or develop their own findings and hold their own public hearing.

Commissioner Anderson commented on individuals within the urban growth area who have been held in abeyance due to this inconsistency.

Rick Cisar, City of Mount Vernon, stated that he did not have the opportunity to attend the Planning Commission Public Hearing, but the City would support the staff's recommendation.

Commissioner Anderson stated that if that is the case, the Comprehensive Plan should be changed because the Board continues to adopt ordinances that are inconsistent with the Comprehensive Plan.

A discussion ensued on the development potential of individuals living in these areas.

Tom Karsh, Planning Department Director, commented on the process of the Planning Commission's recommendation and recorded motion.

Commissioner Anderson stated that there is no reason to go back through all of this again.

Ms. Smith explained that the language of Ordinance 16559 implementing the Comprehensive Plan was incorporated in the interlocal agreement with Mount Vernon. She advised that the City of Mount Vernon has adopted their ordinances under the Growth Management Act (GMA), so they are current with GMA. She briefly discussed densities in varying situations.

Commissioner Anderson noted that this provision proposed by the Planning Commission does nothing to change densities. He gave some specific examples.

Chairman Hart indicated that until he is able to understand exactly what is being proposed and the ramifications of such proposed action, he is unwilling to make any decision.

Ms. Smith explained that the Planning Commission's condition is that the Board needs to modify the interlocal agreement to include Section 2.2.2 of the County's Comprehensive Plan. She further explained that when the County signed the interlocal agreement with the City of Mount Vernon, we did not include the Comprehensive Plan language, but rather took language from Interim Ordinance 16559, which implemented the Comprehensive Plan. Now the Planning Commission is asking that the County amend the interlocal agreement to include the specific language from the Comprehensive Plan.

Mr. Karsh spoke to the issues of one-acre lots.

A discussion ensued regarding the progress being made on the Development Code, direction from the Western Washington Growth Management Hearings Board, and densities.

Mr. Karsh advised that Ordinance 16559 contained more restrictive language due to legal advise and compliance issues with the Western Washington Growth Management Hearings Board.

Ms. Smith advised that tomorrow the interim ordinance would expire regarding the development standards. She stated that unless the Board adopts the Planning Commission's recommendations with the one condition, then an interim ordinance is needed to extend the existing ordinance another six months, with a public hearing scheduled within 60 days. She advised that the public hearing would help determine whether to keep the condition or not.

Chairman Hart confirmed that the City of Mount Vernon would then be able to comment on whether they support or do not support the change.

Commissioner Wolden moved to readopt the interim ordinance regarding the City of Mount Vernon's development standards, with a public hearing to be held within 60 days. Chairman Hart seconded the motion, which passed unanimously. **(Resolution No. 17235)**

Commissioner Wolden further moved to call for a public hearing regarding the development standards for the City of Mount Vernon within their urban growth areas. The public hearing will be held on January 5, 1999, at 9:00 a.m. Commissioner Anderson seconded the motion, which passed unanimously. **(Resolution No. 17236)**

3. **Discussion and Possible Adoption of an Ordinance Adopting the Development Standards of the City of Anacortes within their Urban Growth Area.**

Ms. Smith noted that the Planning Commission recommended adoption of the City of Anacortes' development standards as in the interim ordinance. She stated that there is no residential area within the urban growth areas.

Commissioner Wolden moved for adoption. Commissioner Anderson seconded the motion, which passed unanimously. **(Resolution No. 17237)**

4. Signature – Resolution to Waive Fees Associated with the Flood Hazard Mitigation Grant Program.

Corey Schmidt, Assistant Director, asked the Board to approve a resolution to waive fees associated with the Flood Hazard Mitigation Grant Program, which will be considered a portion of the County's matching funds.

Commissioner Anderson moved to approve the Resolution as presented by Mr. Schmidt, waiving fees associated with the Flood Hazard Mitigation Grant Program. Commissioner Wolden seconded the motion, which passed unanimously. (Resolution No. 17238)

5. Miscellaneous.

There were no miscellaneous items for discussion.

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



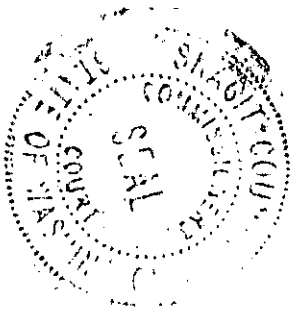
Robert Hart, Chairman



Ted W. Anderson, Commissioner



Harvey Wolden, Commissioner



ATTEST:



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