

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
Tuesday, February 9, 1999**

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| 7:30 a.m. – 8:30 a.m. | Commissioners' Staff Meeting. |
| 8:30 a.m. – 9:00 a.m. | Work Session – Operation Division Manager/District Maintenance Supervisors. |
| *T 9:00 a.m. – 10:00 a.m. | <u>Public Works Department – Chal Martin, Director.</u>
1) Continuation of Discussion regarding Solid Waste Tip Fees and Rate Analysis.
2) Miscellaneous. |
| 10:00 a.m. – 11:00 a.m. | <u>Planning & Permit Center – Tom Karsh, Director.</u>
1) Update and Discussion of the Hazard Mitigation Grant.
2) Discussion and Possible Action – Personal Services Agreement with Allen Emerson, Court Reporting Services.
3) Discussion and Possible Action – Vendor Services Agreement with Network Personnel Services, Inc.
4) Discussion - On-Going Agricultural Activities in Rural Resource-NRL Designated Lands.
5) Miscellaneous. |
| *T 1:30 p.m. – 2:00 p.m. | Proclamation – Future Farmers of America Week in Skagit County. |
| 2:30 p.m. – 3:00 p.m. | Parks Projects Update. |

The Skagit County Board of Commissioners met in regular session on Tuesday, February 9, 1999, with Commissioners Ted W. Anderson, Harvey Wolden, and Robert Hart present.

PUBLIC WORKS DEPARTMENT – Chal Martin, Director.

1. Continuation of Discussion regarding Solid Waste Tip Fees and Rate Analysis.

Robin LaRue, Solid Waste Division Manager, reviewed a memorandum to the Board regarding different scenarios of the analyses of tip fees. He stated that it would be prudent to approve a further reduction of tip fee as shown on the analysis, which would include the rebate of \$4.83 per ton to the non-municipal customers at the Recycling & Transfer Station.

Commissioner Hart stated that this would amount to keeping a \$2,000,000 cash balance in reserve if everything works estimated. He spoke briefly regarding the salvaging of equipment.

Commissioner Hart moved that the Solid Waste Disposal fee at the Skagit County Recycling and Transfer Station be reduced by \$5 per ton for Municipal and Non-Municipal customers, effective March 1, 1999. He further moved that the disposal fee for Non-Municipal customers be reduced an additional \$4.83 per ton beginning March 1, 1999, remaining in effect for approximately one year. Commissioner Wolden seconded the motion, and the motion was approved with a unanimous vote.

Mike Woodmansee, County Administrator, applauded the Board for their wise action in this regard.

2. Miscellaneous.

- A. Chal Martin, Director, spoke at length regarding the Salmon Restoration Program and the possible receipt of federal funding. He indicated that he is concerned about the resources the County has available to complete the program as the program has not yet been well-defined. He said that the State and will look to the Tribes and County to manage the program. The possible need for hiring a consultant or additional staff was reviewed.

Commissioner Wolden questioned whether this money has actually been committed or received. He indicated that the funding program needs to be received prior to hiring either a consultant or staff. He noted that the taxpayers cannot bear all of this burden.

Commissioner Hart commented on the need to ascertain if the State will be releasing these federal funds to local jurisdictions. He stated that not one penny of the funding has reached local jurisdictions to his knowledge. Commissioner Hart stated that when the County develops specific projects, then consideration could be given to hiring a project manager.

Chairman Anderson commented on the need to look at factors to determine the survivability of salmon and insures salmon for the future. He discussed the argument that salmon will not return without the elimination of nets in the rivers.

Mr. Martin cautioned that the County is behind in this regard, and at the time funding is received it may be difficult to find a qualified consultant.

A lengthy discussion ensued in this regard.

The Board indicated their intent to push to get the monies to local jurisdictions so that priorities can be established at the local level.

- B. Mr. Martin advised that he has met with the Guemes Island Ferry Committee regarding the design of the parking lot and the acquisition of additional land for easier access. Drainage would need to be addressed as storm water would have to be pumped from the suggested parking lot configuration.

Chairman Anderson indicated the need to contact the adjoining property owners regarding the willingness to grant an easement or sell portions of their property.

Commissioner Wolden stated that if we cannot get there from here, let's move on with our existing design.

- C. Steve Flude, County Engineer, reviewed the Cook Road Project, and the funding obligations with the City and County contracts being combined. He stated that everything is still on track for 2000. Environmental issues are being addressed for a determination of non-significance or a mitigated determination of non-significance.
- D. Mr. Flude discussed the Butler Hill Pit and Humane Society possible boundary adjustment.
- F. Mr. Flude notified the Board that there is some damage at the Sinclair Island Dock again, and that an emergency resolution will be forthcoming to effectuate repairs.

PLANNING & PERMIT CENTER – Tom Karsh, Director.

1. Update and Discussion of the Hazard Mitigation Grant.

Corey Schmidt, Assistant Director, reviewed the hazardous mitigation grant program. He advised that, to date, the County has purchased 31 properties, some with residences which are being relocated. He reviewed the specific locations of the properties. He detailed the amount of funds that had been expended, and commented on the possibility of obtaining additional funds. Chairman Anderson stated that this is a good program, and encouraged the Department to go forward with trying to obtain these funds.

Commissioner Wolden stated that once the County purchases these properties, they become a liability that need to be cleaned up.

The problem with the Cape Horn Association was also discussed. Mr. Schmidt stated that they have expressed interest in having the County relocate one of the structures for use as a community hall. He advised that we do not have the funds to do this. Mr. Schmidt advised that the encumbrance of \$150 annual fee for each lot is for the maintenance for streets and the community water system. It is a legitimate legal contract and is somewhat convoluted with this property transfer. The Cape Horn Association has filed a lien against the County for \$1,500.

The Board suggested a letter to the Association stating that the County has been maintaining the roads, and asking if they can reimburse us for our work since they are collecting money. Mike Woodmansee, County Administrator, stated that the property owner originally signed an agreement that they would pay this fee. He stated that the County can convey the use as "open space public." The County would contractually agree that the fees go away and the Association can have open passive use of the property.

Mr. Schmidt presented a contract for clearance and relocation of one of the properties. The owner is Dale Hoag and the amount of the services totals \$39,580.75. Commissioner Wolden made a motion to approve the contract as presented by Mr. Schmidt. Commissioner Hart seconded the motion and it was approved with a unanimous vote. **(Contract No. 04248)**

Commissioner Wolden moved to approve a Clearance and Relocation Contract with Karen Mellich in the amount of \$1. The motion was seconded by Commissioner Hart and passed with a unanimous vote. **(Contract No. 04249)**

2. Discussion and Possible Action – Personal Services Agreement with Allen Emerson, Court Reporting Services.

Mr. Schmidt, Assistant Director, presented a personal Services Agreement with Allen Emerson, Court Reporting Services for a not-to-exceed amount of \$10,000 for calendar year 1999. Commissioner Hart moved to approve the Agreement as presented, and Commissioner Wolden seconded the motion. The motion passed unanimously. **(Contract No. 04250)**

3. Discussion and Possible Action – Vendor Services Agreement with Network Personnel Services, Inc.

Mr. Schmidt presented a Vendor Services Agreement with Network Personnel Services for clerical assistance for a maximum amount of \$10,000. Commissioner Hart moved to approve the Agreement as presented by Mr. Schmidt. Commissioner Wolden seconded the motion, and it passed with a unanimous vote. **(Contract No. 04251)**

4. Discussion – On-Going Agricultural Activities in Rural Resource-NRL Designated Lands.

Kendra Smith, Assistant Director, opened the discussion regarding on-going agricultural activities in Rural Resource-NRL designated lands.

Commissioner Hart spoke regarding long-term significant agriculture and the possibility of mapping errors. He stated that the County should allow such areas the opportunity redesignate themselves as Ag-NRL land, and they could be included in an annual amendment to the Comprehensive Plan.

Commissioner Hart asked how much evaluation was done on each property, and encouraged opening the opportunity, if they were mis-designated, for property owners to be further evaluated whether they should be included in agriculture.

Commissioner Wolden commented on the downzoning from rural resource to agriculture and the loss of development rights and additional lots.

Commissioner Anderson gave specific instances of the recent exemption and critical areas ordinance setbacks. He stated that there should be a way to resolve these issues.

A lengthy discussion ensued regarding the provisions of the Critical Areas Ordinance (CAO).

Ms. Smith stated that the CAO is not triggered until a permit is desired, and that the County has been criticized for this.

Specific examples of individual property owners and their problems with the CAO were reviewed.

Tom Karsh, Director, stated that the Development Code will greatly improve the enforceability of the CAO.

Commissioner Hart stated that one of the problems has been the constant changing of the rules for nine years.

Commissioner Wolden spoke to the problems of adopting items that are not consistent with the Comprehensive Plan, and the inherent problems thereto.

Mr. Karsh offered the notion to encourage people to apply for Comprehensive Plan amendments in this regard. He stated that 1998 Comprehensive Plan amendments have not been set that will direct the Planning Agency to consider such amendments. This does not preclude us from going back and better justifying what the Planning Commission has gone through to allow rural resource agriculture exemptions.

Bob Rose, Skagitonians to Preserve Farmland, stated that the issue came down to whether people who had one cow or horse would be exempt from the CAO rather than traditional agricultural uses. There are many farming activities in upland areas, and these should be encouraged as an on-going activity. Mr. Rose pointed to the need to have some sort of threshold that determines commercial agriculture, generating a certain amount of income, to be eligible for such exemption.

Best Management Practices were discussed.

Bob Rose stated that the burden of proof should be on the landowner.

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5. Miscellaneous.

- A. Mr. Karsh presented an Ordinance repealing Interim ordinance No. 17210, Adopting a New Section 14.04.126 to the Skagit County Code, and Amending Portions of SCC 14.04.150 relating to the Mineral Resource Overlay. The Board had previously approved this action, and Commissioner Hart moved to reaffirm the adoption of this Ordinance. The motion was seconded by Commissioner Wolden, and passed with a unanimous vote. **(Ordinance No. 17313)**
- B. Mr. Karsh presented a Resolution modifying the approval of an Agricultural Variance for Washington Bulb Company. The action memorialized in this resolution was previously approved by the Board. **(Resolution No. 17314)**

PROCLAMATION – FUTURE FARMERS OF AMERICA WEEK IN SKAGIT COUNTY.

Commissioner Hart read the subject Proclamation into the record. Commissioner Hart moved to approve the Proclamation as read, and Commissioner Wolden seconded the motion. The motion passed with a unanimous vote. The students in attendance each spoke regarding their activities with FFA.

PARKS PROJECTS UPDATE.

Peter Mayer, Operations Manager, presented to the Board a Parks/Operations Update for their review. He noted that there is also a maintenance summary outlining the major accomplishments and tasks completed. He has also included several graphs regarding the snowmobile grooming program and the jail inmate program.

Mr. Mayer noted that Parks is undergoing a major signage program and displayed an example of the subject signage. He also reviewed the intent to establish bulletin boards within County parks.

He spoke regarding improvements and renovation at Donovan Park, Allen Regional Playfields, Skagit Playfields, Dreamfield, Howard Miller facilities and grounds upgrades.

Mr. Mayer next discussed the Fairgrounds facilities and the various activities of the Staff in this regard.

Mr. Mayer discussed maintenance activities on the Padilla Bay Trail, and clean-up on Sharpe Park trail. Cascade Trail maintenance and repair activities were reviewed including a rockslide at Challenger Road and assistance by the Public Works Department.

Mr. Mayer discussed the Snowmobile Trail Grooming Program.

Further discussion ensued on the debris build-up on bridge piers at the Skagit River Bridge and the necessity for a bid for demolition, and the proposed project at the Swinomish Channel Boat launch

ADJOURNMENT.

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


**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**



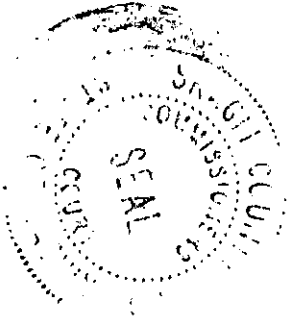
Ted W. Anderson, Chairman




Harvey Wolden, Commissioner



Robert Hart, Commissioner



ATTEST:



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