

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
Tuesday, June 1, 1999**

- 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) Introduction of New Employees.  
2) Miscellaneous.
- \*T 10:00 a.m. – 11:00 a.m. Planning & Permit Center – Tom Karsh, Director.  
1) Signature – Ordinance regarding the Changes to the Exemption Section of the Critical Area Ordinance for Diking and Drainage Systems.  
2) Discussion – Commercial/Industrial Development Outside of Urban Growth Areas.  
3) Status Report on Western Washington Growth Management Hearings Board Invalidity and Compliance Issues and Departmental Work Program.  
4) Miscellaneous.
- 11:00 a.m. – 11:15 a.m. **CONSENT AGENDA.  
MISCELLANEOUS.**
- 11:30 a.m. – 11:45 a.m. Public Comment Period.
- 1:30 p.m. – 2:00 p.m. Bid Opening – Demolition/Clearance/Disposal re: Hazard Mitigation Grant.
- \*T 2:00 p.m. – 2:30 p.m. Proclamation – National Homeownership Week in Skagit County, June 6-13, 1999.
- 2:30 p.m. – 3:30 p.m. Executive Session – Personnel, Litigation and Land Acquisition.

The Skagit County Board of Commissioners met in regular session on Tuesday, June 1, 1999, with Commissioners Harvey Wolden and Robert Hart present. Commissioner Ted W. Anderson's absence was excused.

**PUBLIC WORKS DEPARTMENT – Chal Martin, Director.**

1. Introduction of New Employees.

Chal Martin, Director, introduced the following new employees:

Keith Elefson, Engineering Technician III (Development Review);  
Jackie VanderVeen, Project Coordinator, Skagit River Feasibility Study;  
Sherri Bianchi, Office Assistant II, Receptionist;  
Steve Coryell, Information Services Employee, Application Specialist assisting Public Works;  
Ben Clark, Maintenance Technician I (Special Operations);  
Shirley Stone, Flagger Maintenance Aid;  
Jack Iives, Engineering Tech III  
Steve Cox, ER&R Coordinator/Ferry Coordinator

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2. Miscellaneous.

- A. Steve Flude, Assistant County Engineer, reviewed the Bridge Replacement Advisory Committee (BRAC) Meeting held last Wednesday and Thursday, and the resultant awarding of \$1.2 million to the City of Concrete for rehabilitation of the Baker River Bridge. A discussion ensued on the possibility of the replacement and rehabilitation of the Burlington/Mount Vernon Bridge.
- B. Commissioner Wolden spoke regarding the need to submit the Guemes Ferry Crew for an award for their rescue efforts earlier this year.
- C. Sky Miller, Surface Water Management, gave a brief overview of the culvert replacement program and fish passage program for this summer and fall.
- D. The Board signed an accident report that was submitted by Chal Martin, Director.

**PLANNING & PERMIT CENTER – Tom Karsh, Director.**

1. Signature – Ordinance regarding the Changes to the Exemption Section of the Critical Area Ordinance for Diking and Drainage Systems.

Kendra Smith, Assistant Director, presented to the Board the Ordinance regarding the Changes to the Exemption Section of the Critical Area Ordinance for Diking and Drainage Systems as approved on April 13, 1999. After a brief discussion, Commissioner Wolden moved to approve the Ordinance with the change of "to" to "toward" in the ordinary high water mark portion of the ordinance. Commissioner Hart seconded the motion, which passed with a unanimous vote. **(Resolution No. 17456)**

2. Discussion – Commercial/Industrial Development Outside of Urban Growth Areas.

Gary Christensen, Assistant Director, advised that when the County adopted the Comprehensive Plan and Development regulations in June 1997, there were a number of appeals that were subsequently filed. As a result, the Western Washington Growth Management Hearings Board (WWGMHB) decided in January 1998 that Commercial/Industrial zoning outside of Urban Growth Areas (UGAs) was invalid. Since that time, the County has aggressively and eagerly attempted to bring these matters into compliance with the Growth Management Act (GMA). Mr. Christensen stated that the Department has spent a good deal of time and effort and committed many resources in addressing this issue. He detailed the meetings with a Citizen Advisory Committee (CAC) appointed by the Board, and the development of a concept paper in this regard. He stated that this session was scheduled to further discuss the issues that were raised at a work session with the Board and CAC last week.

Mr. Christensen reviewed the comparison of other counties (Island, Snohomish and Thurston) regarding how they have handled commercial/industrial designations in rural areas. He stated in summary, that the Department has been able to determine that what has been tried in other jurisdictions is very similar to what is described in the County's concept paper. He stated that there is not much difference between what they have done and what Skagit County is proposing to do. Mr. Christensen discussed some specific examples from these other counties. Mr. Christensen stated that Island County's attempt has been appealed and there is a Hearings Board decision expected shortly that may shed some light on what the WWGMHB finds acceptable and may assist Skagit County in modifying, revising, or validating our attempts to come into compliance.

A discussion ensued on specific items that need to be considered, the natural resource industry concept and the rural business concept.

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Mr. Christensen discussed criteria for determining calculations for rural Skagit County businesses such as number of employees, size of buildings, and how much business is conducted on-site. Mr. Christensen stated that the Department feels confident that upon completion of public hearings before the Planning Commission and legal counsel's review, the proposal will have a good foundation and will comply with the requirements of the WWGMHB. Mr. Christensen stated that based on the analysis of other jurisdictions, Skagit County is in the ballpark with some minor modifications and revisions.

Mr. Christensen next reviewed a memorandum regarding Whatcom County's handling of resorts and tourism/recreation oriented development. He stated that much of what they have done is based on development regulations that have been in place in Whatcom County for some time, and may represent a fix for areas in Skagit County. However, Mr. Christensen noted that this is a pre-existing development regulation and does not provide much relief for any new development or significant expansion of an existing business.

Mr. Christensen discussed two districts entitled "Small Town Commercial District" and "Resort Commercial District." Mr. Christensen reviewed the provisions of GMA specifically authorizing Recreation, Tourism and Resort Development. He discussed RCW 36.70SA.360 regarding master planned resorts and the demanding criteria contained therein.

A lengthy discussion ensued on the balancing of tourism with Endangered Species Act issues, and the need to grant control, access and economic incentives to isolated areas where there are no public services such as sewer and water.

Mr. Christensen stated that what the County will do is "bank" some of the acreage for the future, and that it is difficult to try to anticipate what might happen within 10 or 15 years. He stated that the approach may be to hold in reserve some acreage which can be applied for as an annual Comprehensive Plan amendment, with proposals coming forward for review in regards to scope and size. Mr. Christensen indicated that the good part of the story is that the County will have some acreage to allocate in the rural areas for resource industry, tourist activities and commercial/industrial beyond what already exists according to the Hovee Report. There will be some options and opportunities for economic development and diversification of economic opportunity.

Mr. Christensen reviewed an organizational chart regarding the Comprehensive Plan designations or zoning districts that would be acceptable under the Comprehensive Plan and under development regulations.

Mr. Christensen advised that the Department's proposal would be in keeping with the intent and statutory criteria of ESB 6094.

A discussion ensued regarding the requirements for Master Plan Resorts. Mr. Christensen stated that the County is not precluded from doing this type of development, but must develop criteria for the future.

Mr. Christensen reviewed the tentative timeline for addressing Commercial/Industrial (C/I) WWGMHB Invalidation Issues in Case No. 97-2-0060C.

The Board indicated their approval of the tentative timeline. Mr. Christensen stated that there would not be a document that will please all, but would withstand legal question.

Mr. Christensen provided a copy of the Project Memorandum from E.D. Hovee & Company and indicated that early results and comments were favorable. He stated that the report presents a win-win situation. He briefly discussed the figure of 3,330 net developable acres of commercial and industrial land listed in the report, noting that the County previously allocated 2,640 acres. This means that approximately 1,000 acres were previously not accounted for in the overall economic plan. He stated that the Hovee report is part of the "show your work" exercise that the WWGMHB has asked for. Mr. Christensen indicated that

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drafts of the report are available for public review, although there will be no comment process and may be some revisions. He stated that some of this information will more than likely lead to an amendment to County-wide planning policies.

3. Status Report on Western Washington Growth Management Hearings Board Invalidation and Compliance Issues and Departmental Work Program.

Due to time constraints, this item will be scheduled for discussion at a later date.

4. Miscellaneous.

There were no miscellaneous Planning items for discussion.

### CONSENT AGENDA.

Commissioner Wolden moved to approve the Consent Agenda, items 1 and 2, and 4-16, removing Item No. 3. He indicated that the reappointment of Mr. Requa needs to be discussed further. Commissioner Hart seconded the motion, and it passed unanimously.

### COMMISSIONERS' OFFICE:

1. Record of the Proceedings of Monday, May 24, 1999.
2. Record of the Proceedings of Tuesday, May 25, 1999.
3. Resolution re-appointing Louis Requa to the Skagit County Planning Commission for the period April 4, 1999 through April 3, 2003. **(Removed from the Consent Agenda)**
4. Contract with Skagit Valley Publishing Company to provide legal printing and publishing for the period July 1, 1999 through June 30, 2000 at the rate of \$2.70 per column inch. **(Contract No. 04425)**

### RISK MANAGEMENT:

5. Vendor Services Agreement with M.A. Stream Associates, Inc. to provide a marine survey of the Ferry Guemes while at the Bellingham Bay Shipyard from June 14 through June 25, 1999. Compensation will not exceed \$1,000 for the completed survey. **(Contract No. 04426)**

### HEALTH DEPARTMENT:

6. Personal Services Agreement with Janell Duncan to begin providing services as a Medicaid Client Outreach worker for the period May 1, 1999 through December 31, 1999. Compensation will be at a rate of \$11 per hour with no mileage reimbursement. Contractor will also be paid a \$15 bonus for each client Contractor successfully enrolls in Health Options. Compensation is reimbursed by DSHS for Medicaid Administrative Match. **(Contract No. 04427)**
7. Personal Services Agreement with Skagit Preschool and Resource Center (SPARC), in order for SPARC to access Medicaid Administrative Match funds through the County's interagency agreement with DSHS. The contract is effective for calendar year 1999. **(Contract No. 04428)**

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**YOUTH & FAMILY SERVICES DEPARTMENT:**

8. Personal Services Agreement with Youthnet to provide community service work opportunities for juvenile offenders and truant juveniles referred by Youth & Family Services. Compensation per session shall not exceed the total amount of \$300.81 as detailed in Exhibit "B" to the Contract. The Contract begins February 27, 1999 and will continue until terminated. **(Contract No. 04429)**
9. Contract for Educational Services with Northwest Educational Service District No. 189 to provide education services to juveniles detained in the Skagit County Juvenile Detention Center for the period September 1, 1999 through August 31, 2000. Funding for this service is derived from State, Federal, and other sources. **(Contract No. 04430)**

**SENIOR SERVICES:**

10. Out-of-State Travel Request for Donna Sitts to attend the National Senior Service Corp. Pacific Cluster Conference in Las Vegas, Nevada, June 3-5, 1999, for a total of \$595. **(Approved)**

**PARKS & RECREATION DEPARTMENT:**

11. Landowner Agreement for Publicly Funded Habitat Restoration Projects wherein Skagit Fisheries Enhancement Group working with Skagit County, the Sedro Woolley Sub-Flood Control Zone, Ducks Unlimited, and Gateway Golf Course will implement a restoration plan for Brickyard Creek near Fruitdale Road in Sedro Woolley. This restoration is proposed to enhance salmon habitat on private and County land (Northern State Recreation Area). This project is proposed at no cost to the County, with grant funding covering the estimated \$40,000 in project costs. **(Contract No. 04431)**

**HEARING EXAMINER:**

12. Personal Services Agreement with Wick Dufford to serve as Hearing Examiner Pro Tem from time to time as requested by Skagit County. The contract begins May 31, 1999 and will continue until terminated at a not-to-exceed hourly rate of \$75 per hour. **(Contract No. 04432)**

**E911 CENTER:**

13. Interlocal Joint Purchasing Agreement with the City of Shelton to establish a procedure for making joint purchases so that each party may acquire goods and services upon more favorable terms and conditions. **(Contract No. 04433)**

**PUBLIC WORKS DEPARTMENT:**

14. Out-of-State Travel Request for Susan Esary, Accounting Technician, to attend the GFOA Intermediate Governmental Accounting Seminar in Portland, Oregon, from June 16 through June 18, for a total cost of \$944. **(Approved)**
15. Vendor Services Agreement with Burke & Associates, Inc. to provide computer software maintenance and support in accordance with the firm's license agreement, with the County to compensate Contractor not to exceed 10% of the license fee or \$1,000 annually. **(Contract No. 04434)**

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16. Vendor Services Agreement with Kensinger Self Loader Logging to sort and load boom stick logs at Dunlap Towing in LaConner, and transport them to the Butler Gravel Pit located off of Kelleher Road near Old Highway 99. Dunlap Towing is donating these boom sticks to Skagit County for use as log weirs in miscellaneous fish passage projects. The contractor will be paid \$2,500 for these services and the contract will commence on May 25, 1999 and terminate on December 31, 1999. (Contract No. 04435)

**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, June 1, 1999, 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 45621 through 45985 from Clearing Fund 696 in the total dollar amount of \$633,422.98 (Transmittal No. C-37-99); and

Warrants numbered 45986 through 45986 from Clearing Fund 696 in the total dollar amount of \$4,204.67 (Transmittal No. C-38-99).

2. Geoff Almvig, Mapping Department Supervisor, discussed an addressing problem regarding Lindberg Lane. He reviewed the history of this private road and the neighborhood dispute which has since developed over the naming of the roadway. He stated that if the name of Lindberg Lane is utilized, 911 will have no way to find the road. The originally assigned address for Mr. Lindberg was on Mountain View Lane.

Mike Woodmansee, County Administrator, noted the need to follow process and not make exceptions to assure there are no liability issues in the event of an emergency.

After a brief discussion, the Board indicated that if Mr. Lindberg is accessing his property off of Mountain View Road, then that is what his address should be for 911 purposes. They reiterated the need to stay within the provisions of the County's ordinances in this regard.

**PUBLIC COMMENT PERIOD.**

Tom Solberg, Alger, spoke regarding the Rails to Trails project and the proper process. He stated that the message is being sent that the County does not have to follow the processes that they set up. He further indicated that the County should set the example for the rest of the citizens to follow.

Mr. Solberg also asked the Board about getting an E.D. Hovee Report on the rural intermediate designation.

**BID OPENING – DEMOLITION/CLEARANCE/DISPOSAL RE: HAZARD MITIGATION GRANT.**

Corey Schmidt, Assistant Director of the Planning & Permit Center, opened the following bids:

Hinton Company  
23639 Gunderson Road  
Mount Vernon, WA 98273  
Bid Bond enclosed  
\$116,900

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Catapult Heavy Construction, Inc.  
14047 State Route 9  
Mount Vernon, WA 98273  
Bid Bond enclosed  
Addendum No. 1 acknowledged  
\$103,780

Mr. Schmidt advised that both bidders were aware of addendum no. 2, which was verbally acknowledged. He stated that the bids would be reviewed and a bid award and contract forwarded to the Board shortly.

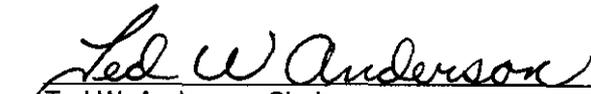
**PROCLAMATION – NATIONAL HOMEOWNERSHIP WEEK IN SKAGIT COUNTY, JUNE 6-13, 1999.**

Commissioner Hart read the Proclamation into the record, noting that June 6-13, 1999, will be National Homeownership Week in Skagit County. Several individuals spoke to the status of affordable housing in Northwest Washington.

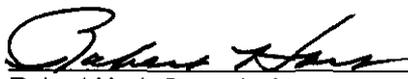
**ADJOURNMENT.**

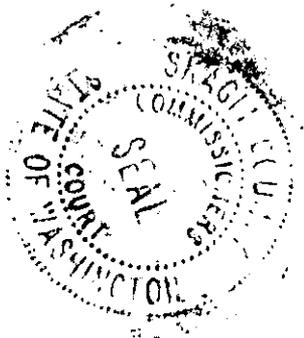
Commissioner Hart made a motion to adjourn the proceedings. Commissioner Wolden seconded the motion and it passed unanimously.

**BOARD OF COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON**

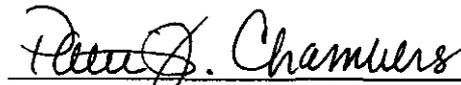
  
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Ted W. Anderson, Chairman

  
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Harvey Wolden, Commissioner

  
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Robert Hart, Commissioner



ATTEST:

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