

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
Tuesday, December 14, 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 – Operations Division Manager/District Maintenance Supervisors. |
| 9:00 a.m. – 10:00 a.m. | <u>Public Works Department – Chal Martin, Director.</u> <ol style="list-style-type: none">1) Public Hearing – Proposed Vacation of a Section of Unused Right-of-Way Known as Marshall Road, No. 469.2) Signature – Letter to Army Corps of Engineers regarding Padilla Bay National Estuarine Research Reserve Study Alternatives.3) Miscellaneous. |
| 10:00 a.m. – 11:00 a.m. | <u>Planning & Permit Center – Tom Karsh, Director.</u> <ol style="list-style-type: none">1) Discussion – City of Mount Vernon Notice of Intention to Annex Mount Vernon Christian School Property.2) Discussion – CTED Grant and Scope of Work for Bayview Ridge Urban Growth Area Subarea Plan.3) Miscellaneous. |

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

PUBLIC WORKS DEPARTMENT – Chal Martin, Director.

1. Public Hearing – Proposed Vacation of a Section of Unused Right-of-Way Known as Marshall Road, No. 469.

Steve Flude, County Engineer, reviewed the exact location of the proposed vacated area known as Marshall Road. He stated that the road is not a necessity and recommended vacation of the unused right-of-way as described. He further noted that no negative correspondence had been received.

Jeff Ingman, representing the property owner Don Simmons, detailed the exact location of the property and concurred with the Public Works Department that there would be no need for the right-of-way whatsoever.

Kristine Boise, purchaser of the land, explained the proposal for a driveway off of Samish Point Road.

There being no further public testimony forthcoming, Commissioner Hart moved to close the public hearing. Commissioner Wolden seconded the motion, which passed with a unanimous vote. The public hearing was closed.

Commissioner Hart moved to approve the vacation of Marshall Road, #469, as described by Staff, for costs of \$75 plus \$1 to reimburse the County for the original cost of the land, for a total of \$76. Commissioner Wolden seconded the motion, which passed with a unanimous vote. **(Resolution to be provided by Staff at a later date)**

2. Signature – Letter to Army Corps of Engineers regarding Padilla Bay National Estuarine Research Reserve Study Alternatives.

Chal Martin, Director, presented the Board with a letter to the Army Corps of Engineers regarding the Padilla Bay Estuarine Research Reserve Study Alternatives. He explained that Surface Water Management has requested

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that the Board respond to the State Department of Ecology letter dated August 2, 1999 to the U.S. Army Corps of Engineers. Mr. Martin described the particulars of the letter.

A brief discussion ensued, and Commissioner Hart moved to sign the letter as presented by the Department. Commissioner Wolden seconded the motion, which passed with a unanimous vote. The Board signed the letter as presented by the Public Works Department.

3. Miscellaneous.

A. Mr. Martin presented a Revised Summary of Offer for Cook Road regarding the Tenneson property. He explained the increase of \$1,500 from the original offer. After a brief discussion, Commissioner Wolden moved to approve the Summary of Offer of approximately \$11,480. Commissioner Hart seconded the motion, which passed unanimously.

B. Mr. Martin presented for the Board's review a grant proposal endorsed by the Skagit County marine Resources Committee for the "Preliminary Assessment of Rocky Reef Bottomfish Resources and Habitats in Skagit County, Washington." The total amount of the proposal is \$25,000. Skagit county will administer the grant, with costs associated to staff time incorporated into the grant budget.

Commissioner Hart commented on the community volunteers who are interested in participating in this grant opportunity. Commissioner Hart moved to approve the grant application as detailed by Mr. Martin. Commissioner Wolden seconded the motion, which carried unanimously. **(Contact No. 04686)**

C. Robin LaRue, Solid Waste Division Manager, advised that the low bidder for the installation of the Sauk Scale has had difficulty securing a performance bond for work in the United States. Consequently, Mr. LaRue recommended that the bid be awarded to the second lowest bidder, Fairbanks Scale, for a total bid of \$30,728.39. Commissioner Wolden moved to approve the Bid Award to Fairbanks Scales, Inc. for work to be performed at the Sauk Scale for a total bid of \$30,728.39. Commissioner Hart seconded the motion, which passed with a unanimous vote. **(Resolution No. 17689)**

PLANNING & PERMIT CENTER – Tom Karsh, Director.

1. Discussion – City of Mount Vernon Notice of Intention to Annex Mount Vernon Christian School Property.

Gary Christensen, Assistant Director, spoke regarding a Notice of Intention to Annex Mount Vernon Christian School Property. He explained that this involves an 8-acre parcel adjacent to a previously annexed 14-acre parcel owned by the Mount Vernon Christian School. Mr. Christensen reviewed that the Board had previously instructed Mr. Christensen to contact the City of Mount Vernon to further explore the City's intentions. He further explained that he had contacted the City and requested written confirmation as to their request regarding the invocation of the Boundary Review Board (BRB). He informed the Board that he had received a letter from Rick Cisar, Mount Vernon Planning Department, which indicated that the City did not intend to invoke the jurisdiction of the BRB regarding this annexation. Mr. Christensen explained that there are two options available to the Board. One is to do nothing, which would mean that the annexation would go through as proposed effective December 20. The second option would be for the County to invoke the jurisdiction of the BRB to consider the merits of extending the annexation to include the Wall Street Properties.

Chairman Anderson stated that he does not have any objection to the Mount Vernon Christian School being annexed, but that he does object to creating an island of land which is contrary to the provisions of the Growth Management Act.

Commissioner Wolden reviewed the duties of the BRB, and the proposed creation of an illegal island of land as discussed by Chairman Anderson. He stated that the concerns of the residents along Wall Street area should be heard and that the vehicle for such public participation is through a BRB public hearing.

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A lengthy discussion ensued on the cities wanting to eliminate the BRB, and for the need to maintain a public forum for those involved in annexations.

Mr. Christensen reviewed the exact location of the subject property.

Tom Karsh, Planning Department Director, spoke to the fact that any individual could invoke the BRB, but would have to pay the required fee.

Dick Reitsma on behalf of the Mount Vernon Christian School, explained the annexation of the previous year, and the status of the annexation of the original proposal and the additional adjacent eight acres. He explained that the original proposal was conditioned upon adding the adjacent eight acres, and that such a request languished at the City's offices and has now resurfaced. He stated that the School was well aware that the people along Wall Street are not interested in becoming a part of the City. He commented on the need for increased notification, and that there should be some kind of meeting with the neighbors, City and School to hear everyone's concerns

Commissioner Wolden indicated that the Board really did not have any recourse but to invoke the BRB so that the neighbors have an opportunity to air their concerns regarding the proposed annexation. He commented that the City Planner and City Council are not invoking the BRB, and are forcing the County to take on this issue. He further commented that spot annexation is not consistent with the Growth Management Act.

After a brief discussion concerning logical and natural boundaries being required for annexation, Commissioner Hart moved to approve a letter to the Boundary Review Board, invoking their jurisdiction in this regarding. Commissioner Wolden seconded the motion, which passed with a unanimous vote. The Board signed the letter as presented by Mr. Christensen.

2. Discussion – CTED Grant and Scope of Work for Bayview Ridge Urban Growth Area Subarea Plan.

Mr. Christensen reviewed an intergovernmental agreement with CTED that would initiate the County's desire to do a subarea plan for the Bayview Ridge Urban Growth Area (UGA). He briefly discussed the County's commitment made in August/September with an ordinance passed regarding the Bayview Ridge UGA. He reviewed the timeline, scope of work, and milestone requirements contained in the Grant Agreement. Mr. Christensen stated that this is a great opportunity to forge ahead with a private/public partnership with the assistance of the State.

After a brief discussion, the Board stated that they would sign the Grant Agreement when presented by the Department.

3. Miscellaneous.

There were no miscellaneous matters for discussion.

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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