

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
Tuesday, January 25, 2000**

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.
*T 9:00 a.m. – 10:00 a.m.	<u>Public Works Department – Chal Martin, Director.</u> 1) Public Hearing – To Consider Testimony regarding the Proposal to Amend Skagit County Code Section 10.04.060 regarding Reduced Speeds in Construction/Maintenance Zones. 2) Miscellaneous.
*T 10:00 a.m. – 11:00 a.m.	<u>Planning & Permit Center – Tom Karsh, Director.</u> 1) Discussion and Possible Action – Addendum to Professional Services Contract with Buck & Gordon LLP for Services in the Year 2000. 2) Miscellaneous.
11:00 a.m. – Noon	Work Session – Proposed Joint Drainage Project with the City of Mount Vernon for the Riverbend Pump Station.
2:00 p.m. – 3:00 p.m.	Presentation – Samish Indian Nation Issues of Concern.

The Skagit County Board of Commissioners met in regular session on Tuesday, January 25, 2000, with Commissioners Harvey Wolden, Robert Hart, and Ted W. Anderson present.

PUBLIC WORKS DEPARTMENT – Chal Martin, Director.

1. Public Hearing – To Consider Testimony regarding the Proposal to Amend Skagit County Code Section 10.04.060 regarding Reduced Speeds in Construction/Maintenance Zones.

Steve Flude, Assistant Director/Assistant County Engineer, stated that this public hearing resulted from a review of codes and the determination that Skagit County Code 10.04.060 was ambiguous in dealing with construction zones. He indicated that a clarification of wording is necessary as follows: Changing “where authorized persons are working within the traveled roadway” to “where a work zone has been established in accordance with the most current edition of the Manual on Uniform Traffic Control Devices.” Mr. Flude stated that this will clear up any ambiguities and keep work zones assigned 24 hours per day for the period of construction.

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

Commissioner Anderson moved to adopt the language as proposed by the Public Works Department. Commissioner Hart seconded the motion, which passed unanimously. **(Resolution to be provided by Staff at a later date).**

2. Miscellaneous.

Chal Martin, Director, reviewed the progress of the Cook Road Project, stating that the project will go out to bid soon, with construction slated for April 1 through August 15, 2000. He spoke briefly about the complete closure of the roadway which will have a substantial impact as 10,000 cars per day travel on Cook Road. Mr. Martin

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indicated that he would begin talking with community groups regarding the proposed construction schedule. In addition, Commissioner Anderson has set a meeting to talk with the City Staff and County Staff regarding this project.

Chairman Wolden commented on the need to get the word out regarding this project, stating that Commissioner Anderson can assist greatly in this regard.

Commissioner Hart spoke to the need for signage regarding alternative routes.

PLANNING & PERMIT CENTER – Tom Karsh, Director.

1. Discussion and Possible Action – Addendum to Professional Services Contract with Buck & Gordon LLP for Services in the Year 2000.

Tom Karsh, Director, spoke regarding the proposed addendum to the contract with the law firm of Buck & Gordon to cover projected services for the Year 2000. He stated that such services would involve both legal counsel and planning services staff. He indicated that the actual contract addendum was being routed for signature and would be presented to the Board under Consent Agenda next week.

Upon query from Chairman Wolden, Mr. Karsh explained that the some of the hourly rates have changed, as well as the number of members of the firm working on the County's projects. He stated that the contract addendum would allow for \$105,000 worth of services in fiscal year 2000, noting that \$225,000 was budgeted for 1999. He indicated that the firm would be used more toward the first of the year during the Planning Commission deliberations. Mr. Karsh stated that after that time, should there be appeals, they will be handled by the County's Prosecuting Attorney's Office.

A brief discussion ensued on the particulars of the contract.

2. Miscellaneous.

Mr. Karsh discussed the letters that are being received regarding a proposed farm labor housing development West of Mount Vernon.

Mr. Karsh reviewed the history of this project, stating that he had been approached by Washington Bulb and their land consultants, asking questions about permits for a farm labor housing proposal. He reviewed the exact location of the site, advising that this type of project requires a Special Use Permit. He stated that Washington Bulb has not submitted an application, and they are merely asking questions of the Department. Washington Bulb felt compelled to involve the potential neighbors to the project, and held a community meeting a few weeks ago. That meeting generated the letters that are being received by the Board and the Planning Department.

Mr. Karsh stated that it is premature to start submitting concerns since it is unknown what the proposal is. Once an application for a Special Use Permit is received, there will be a public hearing and public comment period. That is the time when letters and comments should come forward. The letters that have been submitted to date would need to be resubmitted in order to become a part of the official record.

A discussion ensued on timelines between application and public hearing, and the particulars of the proposal.

Commissioner Hart noted that as this would be a special use permit application, the Board will serve as the appeal board, and the commissioners need to remain separate in this process. He stated that, in this regard, Washington Bulb is a tenant on his farm, and he would probably have to excuse himself from such proceedings.

Mr. Karsh suggested that written correspondence received by the Board could be forwarded to his office for compilation. He asked if the Board would like some sort of response to be sent to those submitting letters.

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Commissioner Anderson suggested that such response should state that no formal application has yet been received, and that the Department would add the letter-writers to the mailing list and advise them when a public hearing is scheduled.

PRESENTATION – SAMISH INDIAN NATION ISSUES OF CONCERN.

Kenneth C. Hansen, Chair, Samish Indian Nation, introduced members of his Staff to the Board, and advised that they were meeting with the Board to talk informally, and had no burning issues to bring forward at this time. He stated that the Samish Indian Nation is not interested in building a casino, however they are negotiating with the State to receive an allocation of machines that will in turn be leased out to other Tribes.

Mr. Hansen reviewed the history and background of the Tribe's recognition, together with a composite of the Tribe's membership. He stated that there are approximately 750 tribal members, most of which do not live in Skagit County. He stated that the traditional homeland territories are Bay View, Samish Island, Chuckanut and portions of Whidbey Island.

Mr. Hansen discussed the need for the Tribe to acquire land and their efforts in this regard. He indicated that there would be no efforts to dispossess other people or to condemn lands. He spoke to the potential interaction with the County as far as land use regulations and planning standards. Mr. Hansen stated that it would be foolish for the Tribe to try to change the character of the land they might acquire, and that they would be looking for land already zoned for a particular purpose. He stated that the Tribe is looking at adopting County standards and contracting with the county on a "fee-for-service" basis. He stated that the Tribe's best interests are to have the best building standards. He indicated that there would always be issues, but that the Tribe wants to be a good neighbor.

Upon query from Commissioner Hart, a discussion ensued on the services that are currently available to Tribal members in the areas of employment, mental health, health care services, and those existing agencies that are providing these services.

Mr. Hansen discussed the rebuilding of the tribal community, and the efforts in restoring communications and addressing needs. He stated that they have put together a basic budget of \$3,000,000 worth of programs that they are currently running. He stated that jobs and services would be returned to Skagit County.

Mr. Hansen next spoke about economic development of the Tribe and restoring the Samish community in terms of housing and jobs. He stated that to create housing without employment makes little sense, and reviewed his efforts to work with Don Wick of the Economic Development Association of Skagit County (EDASC). He expressed the Tribe's grave concerns regarding the proposed rate hikes of the ferry system. He explained that 10% of the Tribe's membership lives on Vancouver Island and needs to get to Skagit County for cultural purposes.

Mr. Hansen stated that the Tribe is looking at developing the economic areas of tourism, destination resort facilities, and other items of eco-tourism. He talked about the interest of the Tribe in partnering with both the private sector and local governments in this regard.

Mr. Hansen indicated that the Tribe is looking for a positive relationship with the County, and believes that a Memorandum of Agreement on various issues may be advantageous in the future. He stated that the Tribe does not want to be a drain on local government resources, but wants to supplement and enhance what is already here. He admitted, however, that it is often difficult to get two jurisdictions to agree on all issues at all times.

Commissioner Hart commented that the greatest source of conflict is regarding fee simple land on the reservations with non-tribal members.

Mr. Hansen asked the Board to support House and Senate versions of a joint resolution to establish an Indian Affairs Committee.

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MISCELLANEOUS.

Commissioner Anderson was absent for the Miscellaneous items.

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, January 25, 2000, the Board, by a majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

Payroll warrants numbered 46687 through 47439 in the total dollar amount of \$736,737.22 (Transmittal No. P-03-2000); and,

Warrants numbered 62529 through 62595 from Clearing Fund 696 in the total dollar amount of \$314,854.15 (Transmittal No. C-7-00)

2. Staff presented a Resolution effectuating the transfer of surplus computer equipment to the Sedro Woolley School District. Commissioner Hart moved to approve the Resolution as presented by Staff, and Chairman Wolden seconded the motion. The motion passed with a unanimous vote. **(Resolution No. 17734)**
3. Staff presented a Resolution Authorizing Funding participation in the City of Mount Vernon Third Street Alignment Project. The Resolution states that the County agrees to participate financially in placing overhead cables underground in the amount of \$60,000. Commissioner Hart moved to approve the Resolution as presented. Chairman Wolden seconded the motion, which passed unanimously. **(Resolution No. 17735)**

ADJOURNMENT.

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

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Harvey Wolden, Chairman

Robert Hart, Commissioner

Ted W. Anderson, Commissioner

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ATTEST:

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