

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
Tuesday, March 21, 2000**

TUESDAY, MARCH 21, 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.
- 9:00 a.m. – 10:00 a.m. Public Works Department – Chal Martin, Director
1) Public Hearing – Consideration of Road Name Change of a County Road Known as Belle Vernia Drive, No. 24099, to Island View Way, No. 24099.
2) Public Hearing - To Consider Testimony re: the renaming of Rosario Beach Road, #10010, to Cougar Gap Road, #10010.
3) Public Hearing - To Consider Testimony re: the vacation of a portion of unused County right-of-way known as Franklin Road, #82200.
4) Submittal: Solid Waste 1999 Annual Report .
5) Signature: Resolution Regarding Revision of No. 1 of the Annual Construction Program.
6) Signature: Flood Control Assistance Account Program (FCAAP) Grant Application with Department of Ecology for Emergency Flood Damage Assistance 1999 Samish River Flood Event.
7) Miscellaneous.
- 10:00 a.m. – 11:00 a.m. Planning and Permit Center – Tom Karsh, Director
1) Discussion and possible action to schedule a new closed record hearing for the Hovey Shoreline Appeal. Contact Tom Karsh.
2) Discussion re: Transfer of responsibility and administration of forest practice enforcement from DNR to County. Contact Kendra Smith.
- 11:00 a.m. – 11:30 a.m. Work Session – Upper Skagit Tribe Partnership – Helmick Road Upgrade.
- 1:30 p.m. – 3:00 p.m. Executive Session – Personnel, Litigation and Land Acquisition.

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

PUBLIC WORKS DEPARTMENT – Chal Martin, Director

- 1) **Public Hearing – Consideration of Road Name Change of a County Road Known as Belle Vernia Drive, No. 24099, to Island View Way, No. 24099.**

Steve Flude, Assistant County Engineer, explained that a resident on Belle Vernia Drive petitioned Skagit County to have the road name changed. He submitted a petition with 100% of the property owners in agreement with the requested road name change.

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Chairman Wolden opened the public hearing for public comment.

Ed Physher introduced himself, explaining that he spearheaded the recommendation that the road name be changed.

Commissioner Hart motioned to close the public hearing. Commissioner Anderson seconded the motion, which passed unanimously.

Commissioner Hart motioned to approve a Resolution authorizing the road name change of Belle Vernia Drive, No. 24099, to Island View Way, No. 24099. Commissioner Anderson seconded the motion, which passed unanimously. **(Resolution #17810)**

2) **Public Hearing – To Consider Testimony re: the renaming of Rosario Beach Road, #10010, to Cougar Gap Road, #10010.**

Steve Flude presented a petition to the Board to change the road name of Rosario Beach #10010 to Cougar Gap Road #10010.

Chairman Wolden opened the public hearing for public comment.

Dave Habewicht of Walla Walla College explained the reason for the name change. He indicated they spoke to the neighbors, who were very favorable to this. He noted that Cougar Gap Road is the very old original county name for the road.

Commissioner Hart motioned to close the Public Hearing. Commissioner Anderson seconded the motion, which passed unanimously.

Commissioner Hart motioned to approve a resolution authorizing a road name change of Rosario Beach Road, #10010 to Cougar Gap Road, #10010. Commissioner Anderson seconded the motion, which passed unanimously. **(Resolution #17811)**

3) **Public Hearing – To Consider Testimony re: the vacation of a portion of unused County right-of-way known as Franklin Road, #82200.**

Chairman Wolden opened the Public Hearing.

Steve Flude reviewed a map showing the location of the proposed vacation. The Public Works Department recommends the proposed vacation and that the Commissioners not charge for the land cost since the County never purchased the right-of-way.

Since there were no comments, Commissioner Ted Anderson motioned to close the Public Hearing. Commissioner Hart seconded the motion, which passed unanimously.

Commissioner Anderson motioned to approve the vacation of the unused county right of way known as Franklin Road. Commissioner Hart seconded the motion, which passed unanimously.

4) **Solid Waste 1999 Annual Report**

Robin Larue, Solid Waste Division Manager, reported. He described the information in the Commissioners' packets and reviewed the highlights of the report.

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There was a \$5.00 reduction in rates in 1999 and a rebate to all of the customers in the form of a reduction in the tipping fee. The rate study was finished in October, after which a re-hearing was held with the County Commissioners and, at that time, a further rate reduction was made.

Regarding the Community Litter Cleanup Program, there was over 4,450 hours of community service labor picking up over 128 tons of trash and litter off county roads.

Regarding the transfer station, it was open 3,900 hours last year and collected 80,364 tons of waste. There was an increase of 8,600 tons over 1998, which is a 12% increase. Relative to the Moderate Risk Waste Facility, over 2,065 households used that facility, with 1,107 gallons of chemical waste collected from small businesses.

Frances Ambrose made 58 presentations to 20 different schools about recycling and waste reduction. Education booths were staffed at 6 fairs and events. Regarding the Adopt a Road Program, 18 active groups collected 4,000 pounds of litter.

Regarding the landfills, Inman, Sauk and Gibraltar, there were no major problems, just regular maintenance.

Commissioner Anderson commented on an outstanding employee at the Clear Lake site, Michael McLaskey. Mr. McLaskey provides excellent customer service and does an outstanding job. He should be recognized for his work through the Customer Service Program.

There was some discussion about some of the equipment that is obsolete for which bids will be issued.

5) **Signature – Resolution Regarding Revision of No. 1 of the Annual Construction Program.**

Mr. Martin and Mr. Flude explained that this is a housekeeping item.

Commissioner Hart motioned to approve the annual Road Construction Program. Commissioner Anderson seconded the motion, which passed unanimously. **Resolution #17812**

6) **Signature – Flood Control Control Assistance Account Program (FCAAP) Grant Application with Department of Ecology for Emergency Flood Damage.**

Sky Miller, P.E., Surface Water Division Manager, reported. He explained that the grant application requests funds from Ecology to be used for recovering flood fight emergency costs for the December 1999 Samish River flood event and for reinstalling two 48 inch culverts. He said he is optimistic that some kind of funding will be received from the state, although he does not know at this time what that will be. The County is requesting 80% funding from Ecology, equal to \$50,230. The project total is estimated at \$62,900.

Commissioner Hart motioned to approve the application for emergency flood damage assistance. Commissioner Anderson seconded the motion, which passed unanimously.

7) **Miscellaneous**

- a) Supplemental Agreement No. 7 with David Evans and Associates, Inc. to change the Scope of Work for the Cook Road Improvement Project was presented to the board for signature. The new maximum amount payable is \$1,236,399. The purpose is to add construction administration and surveying to the existing agreement.

Commissioner Hart motioned to approve Supplemental Agreement No. 7 to change the Scope of Work for the Cook Road Improvement Project, not to \$1,236,399.

Commissioner Wolden seconded the motion, which passed unanimously. (**Contract #004009**)

- b) A contract with Wilder Construction Company was presented to the Board to furnish all tools, materials and equipment to accomplish the improvement of Cook Road No. 63000 from approximately M.P. 1.97 to M.P. 6.14. Work described in contract.

Commissioner Anderson made a motion to approve for signature a contract with Wilder Construction Company to furnish all tools, materials and equipment to accomplish the improvement of Cook Road No. 63000 from approximately M.P. 1.97 to M.P. 6.14.

Commissioner Hart seconded the motion, which passed unanimously. (**Contract #004826**)

- c) Jennifer Aylor, AICP, Assistant Division Manager, Surface Water Management, Public Works Department, presented the following agreements for the approval and signature of the board:

1. Commissioner Hart motioned to approve for signature a Professional Services Agreement with Resource Management, Inc. (RMI) to do work relative to the control of invasive aquatic plants that have deteriorated the recreational and wildlife beneficial uses of Big Lake at a cost not to exceed \$81,000. Commissioner Anderson seconded the motion, which passed unanimously. (**Contract #004828**)
2. Commissioner Hart motioned to approve for signature a Professional Services Agreement with Resource Management, Inc. (RMI) for control of Eurasian Watermilfoil in Lake McMurray at a cost not to exceed \$151,000. Commissioner Anderson seconded the motion, which passed unanimously. (**Contract #004827**)

- d) Chal Martin provided the board with an update on the following:

1. Regarding Cook Road, he spoke with Eric Stendal of Sedro Woolley who said that Sedro Woolley would provide \$20,000 for that partnership. A commitment has not yet been received from DOT about who is going to do the signal, although this has turned out to be a good partnership project. This is a once in a lifetime chance to get something done here. For both this signal and the Collins Road signal, DOT has said they will put in a temporary signal if the Commissioners will commit to a final signal. The exact cost has not yet been provided.

Mr. Martin agreed to write to DOT and advise them of the County's commitment to funding the permanent signal.

Commissioner Anderson said he thinks the big unanswered question is the railroad right-of-way. They are now talking about providing the engineering for a three way signal.

Commissioner Wolden stated that he would like to see the state verify their commitment to this project and elaborate on when they are going to do it.

Commissioner Anderson noted that they are presently designing that intersection. He suggested that he, Alicia Huschka and Steve Flude meet with them to clarify their commitment and funding mechanism.

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2. Mr. Martin reported that he received a telephone call from Paul Schissler who is acting on behalf of the Town of Concrete. They would like the County Public Works Department to be the certified contractor for their project. Mr. Martin stated that he told Mr. Schissler that the Public Works Department has a very full plate at this time, with other priorities.

There was discussion about the current County projects and the reason for some of the delays.

3. Regarding the Collins Road signal, Mr. Martin stated that he would write to DOT telling them that the County is committed to making this work.
4. Janice Marlega, Engineer, Public Works Department, has completed the video and they should be able to add it to the Commissioner meetings.

Planning and Permit Center – Tom Karsh, Director

- 1) **Discussion and possible action to schedule a new closed record hearing for the Hovey Shoreline Appeal.**

Kendra Smith, Assistant Director, Planning and Permit Center, talked to the Board about scheduling a time for the Hovey Shoreline Appeal. She asked to schedule a time so everyone is notified of the hearing.

Commissioner Hart motioned to schedule a closed record hearing for the Hovey Shoreline Appeal on April 11 at 11:00 a.m. Commissioner Anderson seconded the motion, which passed unanimously.

- 2) **Discussion re: Transfer of responsibility and administration of forest practice enforcement from DNR to County.**

Ms. Smith talked about the transfer of responsibility and administration of forest practice enforcement from DNR to the County and what needs to be done to be in compliance in 2001. It is important to move quickly so DNR is allowed enough time to review it.

Rich Mattrass, Senior Planner, Planning and Permit Center, explained that the senate bill is for the purpose of transferring forest practice enforcement involving conversions. DNR will continue to administer the main program. They have indicated they would like for the County to pick up all of the class 4's around the County. The County has until December of 2001 to get this in place. On January 2002, DNR is supposed to have all this turned over to all jurisdictions in the state. It will partly involve cities because it will be in the UGA. There will need to be some review of city codes.

Mr. Mattrass then reviewed a timeframe summary and talked about the critical nature of the creation of the TAC, and what kind of representation would be involved. He explained the processes that will be necessary to transfer responsibility and administration.

Commissioner Wolden said he is not clear why it is necessary to go through all this.

Commissioner Hart stated, there are already DNR standards, therefore, why is the County looking at reinventing something.

Commissioner Anderson stated that if it is done in house there is more chance of doing it right. He recommended hiring someone under contract to deal with some of these kinds of issues.

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3) **Miscellaneous.**

- a) Gary Christensen, Assistant Director, Planning and Permit Center, discussed with the board a proposed ordinance renewing the Provisions of Ordinance 17575 relating to the implementation of development standards within the Sedro Woolley, Burlington and Mount Vernon Urban Growth Areas, adopting a correction to the Burlington Zoning Map, and adopting certain updated chapters of the Mount Vernon Municipal Code board.

It was noted that the County will not collect additional impact fees since they are funded out of the County Road Fund.

The Commissioners signed the Interim Ordinance renewing the Provisions of Ordinance 17575 as motioned and unanimously approved on March 20, 2000. **(Ordinance #17813)**

- b) Gary Christensen reported that the Planning Commission, after 2 ½ months of deliberations on the GMA, expects to be finished by the end of the month. He passed out the final deliberations schedule to the Commissioners, noting that a much-improved document should be received by the Commissioners in April.

He explained the public process, noting that a meeting will be held with the Board on April 4 to provide the Planning Commissions' recommendations and to highlight the areas that should be brought to the Commissioners' attention. The following week the strikeout draft will be provided, at which time they hope to receive feedback from the Commissioners. The publish date will be toward the end of April. In June, the Planning Commissions' final recommendation will be provided.

It was noted that if a public hearing is held there will be adequate time for comment.

ADJOURNMENT

Commissioner Anderson motioned to adjourn the proceedings. Commissioner Hart seconded the motion, which passed unanimously.

**BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Harvey Wolden, Chairman

Robert Hart, Commissioner

ATTEST:

Ted W. Anderson, Commissioner

Jean Terry, Acting Clerk