

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
Tuesday, May 30, 2000**

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| 7:30 a.m. – 8:00 a.m. | Commissioners' Staff Meeting. |
| 8:00 a.m. – 8:30 a.m. | Executive Session – Personnel, Litigation and Land Acquisition. |
| 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> <ol style="list-style-type: none">1) Public Hearing – Consideration of Road Name Change of Cascade Avenue, No. 60500, to Cascade Vista, No. 60500.2) Discussion – Certified Agency Oversight for the Town of Concrete.3) Discussion – Economic Development Public Facilities Program.4) Signature – Resolution Amending Resolution No. 17295, Establishing a Policy and Procedure for use of the Public Works Department Consultant Services Roster.5) Signature – Letter to U.S. Army Corps of Engineers regarding assignment of a Project Manager to the Skagit River Flood Feasibility Study.6) Signature – Resolution Authorizing Grant Application for Aquatic Lands Enhancement Account Funds from the Department of Natural Resources.7) Signature – Vendor Services Agreement with Culbertson Marine Construction – Guemes Ferry Transfer Spans Steel Repairs.8) Miscellaneous. |
| *T 10:00 a.m. – 11:00 a.m. | <u>Planning & Permit Center – Tom Karsh, Director.</u> <ol style="list-style-type: none">1) Discussion – Pending 1997 and 1998 Comprehensive Plan Amendments.2) Miscellaneous. |
| 11:00 a.m. – 11:15 a.m. | CONSENT AGENDA & MISCELLANEOUS |
| 11:30 a.m. – Noon | Executive Session – Personnel, Litigation and Land Acquisition. |
| 2:00 p.m. – 2:30 p.m. | Bid Opening – Clean/Paint Guemes Ferry Transfer Span. |
| 2:30 p.m. | Public Hearing - To Consider Testimony on the Renewal of the following Interim Ordinances: <ol style="list-style-type: none">1) <u>Interim Ordinance No. 17679.</u> This ordinance extends the provisions of Ordinance No. 17494, an interim ordinance amending portions of the short subdivision ordinance (SCC 14.08) relating to interim short CaRD (Conservation and Reserve Development) subdivision.2) <u>Interim Ordinance No. 17745.</u> This ordinance consolidates and renews the provisions of Ordinance No. 17523 and Interim Ordinance No. 17570 relating to the removal of the UGA designation from the area shown as the Big Lake UGA on Comprehensive Plan Map 3(h) in the 1997 Comprehensive Plan |

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- Map Portfolio on an interim basis and its replacement with a Rural Village (RV) designation.
- 3) Interim Ordinance No. 17746. This ordinance renews the provisions of Ordinance No. 17536, an ordinance extending the provisions of Ordinance No. 17524, which suspended acceptance of new mining permits under Skagit County Code 14.04.126 pending the adoption of a new or revised mining ordinance.
 - 4) Interim Ordinance No. 17749. This ordinance renews interim Ordinance No. 17595, Chapter 14.06 Critical Areas Ordinance (CAO), (with the exceptions of sections .095 and .096).
 - 5) Interim Ordinance No. 17760. This ordinance addresses expansion opportunities and changes of use for *existing* commercial and industrial businesses outside of UGAs pending adoption of a new and/or expanded ordinance as part of the adoption of the Unified Development Code.
 - 6) Interim Ordinance No. 17804. This ordinance renews the provisions of Ordinance No. 17568, establishing an Interim Urban Growth Area for Bayview Ridge and establishing use restrictions and requirements for public facilities and services and a commitment to complete a subarea plan.
 - 7) Interim Ordinance No. 17805. This ordinance renews the provisions of Ordinance No. 17569, relating to the regulation of the placement, construction, and modification of personal wireless service facilities.
 - 8) Interim Ordinance No. 17813. This ordinance renews the provisions of Ordinance No. 17575, relating to the implementing 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.
 - 9) Interim Ordinance No. 17828. This ordinance reaffirms interim Ordinance No. 17712, amending portions of Skagit County Code Chapter 14.06, Critical Areas Ordinance, specifically section 14.06.095 "Ongoing Agriculture on Lands Designated Agriculture-NRL" and Section 14.06.096, "Strategic Plan for Protecting Wild Salmonids."

The Skagit County Board of Commissioners met in regular session on Tuesday, May 30, 2000, with Commissioners Harvey Wolden, Robert Hart, and Ted W. Anderson present.

PUBLIC WORKS DEPARTMENT – Chal Martin, Director.

1. Public Hearing – Consideration of Road Name Change of Cascade Avenue, No. 60500, to Cascade Vista, No. 60500.

Steve Flude, Assistant County Engineer, reviewed the proposal for the road name change of Cascade Avenue to Cascade Vista. He explained that 100% of the surrounding property owners approved of the road name change to Cascade Vista.

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

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Commissioner Hart moved to authorize the Road Name Change from Cascade Avenue, No. 60500, to Cascade Vista, No. 60500 as presented by Mr. Flude. Commissioner Anderson seconded the motion, which passed unanimously. **(Resolution No. 17871)**

2. Discussion – Certified Agency Oversight for the Town of Concrete.

Chal Martin, Director, reviewed the two projects slated for the Town of Concrete, and the need for the County to provide certified agency oversight of the projects. The Public Works Department has been in touch with Paul Schissler, Grant Writer, who has been retained by the City to get the logistics in place to get the projects designed and built. Mr. Martin advised that the State had said that they do not have time to be the certified agent for such projects. He explained that the County would be reimbursed for the work done.

A discussion of the particulars of the Concrete projects ensued, and the Board indicated their approval of the County acting as the Certified Agency Oversight for the Town of Concrete.

3. Discussion – Economic Development Public Facilities Program.

Mr. Martin suggested that perhaps it is time for the County to form a Business Unit that could act as the supervisory and oversight agency for various economic development public works facilities projects, such as the ones most recently discussed in Concrete. He stated that perhaps the County should cut out one middle part of the oversight structure and take on the supervision of the entire project, similar to what was done with Sedro Woolley in the past. He pointed out that some of the smaller jurisdictions have obtained money to do large projects, and that such work is reimbursable. He noted that the Legislature wants to complete these projects, and that it is difficult for a private contractor or consultant to proceed through the public agency process. He asked for the Board's approval to put together a proposal that might in fact include a Business Unit to handle such things. He mentioned the LaConner project as well as Bayview Ridge.

Commissioner Wolden stated that it is probably not economically possible to form a new department, but that certain individuals may be able to be utilized.

Mr. Martin indicated that there is already difficulty staffing existing projects, and that these economic development public facilities projects would create a daunting task for those outside of a public agency. He stated that this oversight would not have to be within the Public Works Department.

Commissioner Anderson asked if Mr. Martin visualized accomplishing this work through the consultant roster.

Mr. Martin replied that it would be public works employees overseeing a contract effort, but that the process has become so complicated that there would have to be a specialist involved.

Upon query from Chairman Wolden, Mr. Martin stated that the amount of work associated with contract work has increased dramatically, and that the contract instruments themselves are complicated. Contracts within the State are many and varied and take time and follow-up, with someone who knows what to do to keep these projects moving. He noted the difficulty of having a private entity in the lead on such projects.

Alicia Huschka, Budget/Finance Director, reviewed private individuals receiving such public grants who may require a lead agency such as the County to oversee their projects.

Mr. Martin advised that Utilities can also act as lead agencies, which would be appropriate for some of the proposed projects.

A discussion ensued about particular projects.

Chairman Wolden commented on the need to work on these projects so that the funding is not lost.

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Commissioner Hart stated that it seems that we are not only looking for an engineering supervisor, but also design and construction supervisors. He asked about the possibility of filling these roles in-house, while noting the difficulty the Department has had in filling engineering vacancies. He noted that contracting often takes more money than performing the tasks in-house.

Mr. Martin commented on the need to proceed so that the grant money for specific projects is not lost. He stated that acting as the Certified Agency Oversight would not be as intensive as being the contract manager. He indicated that In working with Concrete, the Department is trying to avoid as many middle layers as possible to get these projects done. He reiterated that the concern is that the process in just being a Certified Agency Oversight takes a lot of time and that the County might be better off in managing the entire process itself.

Commissioner Hart concurred on the necessity to keep the projects moving so as not to lose the grant money.

4. Signature – Resolution Amending Resolution No. 17295, Establishing a Policy and Procedure for use of the Public Works Department Consultant Services Roster.

Mr. Flude reviewed a proposed Resolution amending Resolution No. 17295, Establishing a Policy and Procedure for use of the Public Works Department Consultant Services Roster, which was prepared in accordance with discussions recently held with the Board. He advised that in any perspective engineering services totaling less than \$100,000, the Department can go to the existing roster and choose a consultant, going through a non-interview process. For work over \$100,000, the Department would go through an interview selection process, including advertising a Request For Qualifications, and then paring the list down to a minimum of three firms that would be interviewed.

Commissioner Hart moved to approve the Resolution Amending Resolution No. 17295, Establishing a Policy and Procedure for use of the Public Works Department Consultant Services Roster. Commissioner Anderson seconded the motion, which passed unanimously. **(Resolution No. 17872)**

5. Signature – Letter to U.S. Army Corps of Engineers regarding assignment of a Project Manager to the Skagit River Flood Feasibility Study.

Mr. Martin presented for the Board's consideration a letter to the U.S. Army Corps of Engineers regarding assignment of a Project Manager to the Skagit River Feasibility Study. After a brief discussion, Commissioner Hart moved to approve the letter to Colonel Rigsby of the Army Corps of Engineers, and Commissioner Anderson seconded the motion. The motion passed with a unanimous vote. The Board signed the letter as presented.

6. Signature – Resolution Authorizing Grant Application for Aquatic Lands Enhancement Account Funds from the Department of Natural Resources.

Derek Koellmann, Surface Water Management Division, brought forward a Resolution for authorizing a grant application for aquatic lands enhancement account funds from the Department of Natural Resources, with the grant funds to be used to purchase land under specific conditions. He reviewed the particular projects to be included for purchase. Mr. Koellmann advised that matching funds could be derived from construction funds already received.

Mr. Martin noted this a more focused approach when purchasing properties involved in current projects.

Commissioner Anderson moved to approve the Resolution Authorizing Grant Application for Aquatic lands Enhancement Account Funds from the Department of Natural Resources. Commissioner Hart seconded the motion, which passed unanimously. **(Resolution No. 17873)**

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7. Signature – Vendor Services Agreement with Culbertson Marine Construction – Guemes Ferry Transfer Spans Steel Repairs.

Mr. Flude presented a Vendor Services Agreement with Culbertson Marine Construction for work in conjunction with the painting project for the Guemes Ferry terminals transfer span. He reviewed briefly the details of the work to be performed.

Commissioner Anderson moved to approve the Vendor Services Agreement with Culbertson Marine Construction. Commissioner Hart seconded the motion, which passed with a unanimous vote. **(Contract No. 04906)**

8. Miscellaneous.

There were no Miscellaneous items for discussion.

PLANNING & PERMIT CENTER – Tom Karsh, Director.

1. Discussion – Pending 1997 and 1998 Comprehensive Plan Amendments.

Gary Christensen, Assistant Director, reviewed the Memorandum that was distributed to the Board, which summarized the pending 1997 and 1998 Comprehensive Plan Amendment Applications. Mr. Christensen advised that the Department has some good indications of how they wish to proceed, but wanted to have the benefit of discussion with and directive from the Board.

Mr. Christensen reviewed the chronology of events to this point in time. The chronology started in October of 1997 when the Board directed the Planning & Permit Center to prepare a report and recommendation on approximately 250 re-designation petitions submitted during three separate public comment periods. In January 1998 four categories of review occurred consisting of technical mapping errors, recommendations for further evaluation by the Planning Commission, and designation of seven areas for re-evaluation. Mr. Christensen detailed the actions taken by the Board following these determinations.

In April 1999, the Board requested a report and recommendation on 1998 Petitions/Proposals to amend the Comprehensive Plan. In August of 1999, the review was suspended pending the concentration of the Department's efforts to address GMA compliance issues, which led to the Fall Package proposal. In January of 2000, as a result of having suspended such Comprehensive Plan Amendment Requests, May of 2000 was established as the date to begin further review of such requests.

Mr. Christensen explained that under the remaining 1997 Comprehensive Plan amendments, there are basically two unresolved issues. One is to remand back to the Planning Commission about ten or so properties, which need to be reviewed on either improper application of the designation criteria or the need to address different findings. That is a matter that can be taken back to the Planning Commission in a public meeting session, not public hearings, but simply to readdress those issues with the Planning Commission and send on to Board findings that would address those issues more clearly and appropriately. He stated that deferred 1997 amendments could be batched with the 1998 amendments.

Commissioner Hart asked if these are to be reviewed under the existing Comprehensive Plan or the designation criteria proposed in the Fall Package.

Mr. Christensen replied that they would be reviewed under criteria established in June of 1997. He stated that the Planning Commission could decide after re-application of the existing criteria, if those landowners would be well served to reapply based on the new criteria that is adopted.

Commissioner Hart indicated that after going through this process for three years, if new criteria is adopted with the Unified Development Code and Comprehensive Plan, in the process of the Planning Commission reviewing

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these amendments, landowners should not be forced to go through another round, but should be considered under the new criteria that has been adopted.

A discussion ensued on the use of the soon-to-be adopted criteria versus the criteria of the Comprehensive Plan as it existed in 1997.

Mr. Christensen concurred that many of these landowners would benefit more greatly under the Spring Package proposal, and he gave examples of such.

John Moffat, Chief Civil Deputy, explained that these requests were for specific Comprehensive Plan amendments requested in 1997, and that the ordinance adopted at the time left open the window to file property specific applications. The County adopted a number of amendments pursuant to wording that went up to the Western Washington Growth Management Hearings Board (WWGMHB). He advised that the WWGMHB gave much deference to the County's decisions, and that turning the clock back to 1997 is therefore appropriate.

A review of a table contained in the Department's memorandum was reviewed, showing the items that would not be required to go to public hearing.

Mr. Christensen indicated that the Department would schedule, with the Board's concurrence, the six or seven items to be discussed with the Planning Commission. Landowners would be contacted to discuss how they wish to proceed at this point in time.

Mr. Christensen reviewed the specifics of one of the requests of Don Clark, regarding the rural intermediate designation.

Mr. Christensen next discussed the pending 1998 Comprehensive Plan Amendment Petitions. He reviewed the details of these submissions.

Commissioner Anderson asked about the Department recommendation of denial of the Alger Sub-Area Plan.

Mr. Christensen spoke to the varied Comprehensive Plan Amendment issues, many of which were raised in both 1997 and 1998 Comprehensive Plan Amendment Petitions with regard to individual properties and study areas. These have been addressed by the Planning Commission and will be forwarded to the Board relatively soon. He discussed the issues of addressing ESB 6094, and the amendments to the secondary forest criteria as a result of Ordinance No. 16550.

A discussion ensued on the effects of such amendments to individual property owners, as well as the details of the community planning process in identified rural areas such as Fidalgo Island, Guemes, Alger, Birdsvie, Big Lake, etc.

Commissioner Hart asked about the prioritization of these community planning efforts.

Mr. Christensen stated that as part of any action the Board may take on the Comprehensive Plan and the Unified Development code, there will be some implementation strategy necessary. He compared such strategy to the 6-Year Transportation Improvement Program, where reviews are held yearly to re-adjust the strategy and priority as needed.

Commissioner Anderson commented that it would seem prudent to move ahead those areas which have developed partnerships and funding commitments. Mr. Christensen concurred that reaching out to the community and creating partnerships is important.

Mr. Christensen reviewed a matrix of the items in question. He suggested taking the 1997 remanded items and technical mapping errors and sending them back to the Planning Commission, then the Planning Commission would adopt findings, and send such items back to the Board for approval. He stated that the Department feels

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that these deferred Comprehensive Plan Amendments from 1997 and the pending amendments from 1998 would benefit by being addressed after passage of the 2000 GMA Compliance Proposal, which time wise is within less than 30 days. He added that some of the 1998 requests would benefit greatly from not proceeding at this moment, but after the Comprehensive Plan Amendments and Unified Development Code are adopted.

A brief discussion ensued regarding the issues of the Association of Skagit County Landowners.

Mr. Christensen presented a Resolution that memorialized this plan for proceeding with the amendments, reading through the document. He explained that this Resolution summarizes the presentation made to the Board today regarding the history and status of the 1997 and 1998 Comprehensive Plan Amendment Requests.

Upon query from the Board, Mr. Moffat confirmed that this action would be consistent with the stipulation entered into with the Association of Skagit County Landowners and Mr. Solberg before the Western Washington Growth Management Hearings Board.

Mr. Solberg indicated that as long as the County is proceeding with the proposed amendment, he had no problem with the Resolution as read by Mr. Christensen.

Ken Howard, Association of Skagit County Landowners, stated that he could not approve the Resolution right now as he is only one member. He expressed concern that this has been going on for some time, is complex, but personally he does not have a problem proceeding with the 2000 package. He stated that his only concern is that the Friends of Skagit County may appeal the process, which would force another extended period of time before these amendment requests could be resolved.

After a briefly discussion, Commissioner Hart moved to adopted the Resolution Re-Initiating the Review and/or Addressing Pending 1997 and 1998 Comprehensive Plan Amendment Requests as presented by Mr. Christensen. Commissioner Anderson seconded the motion, which passed with unanimous approval. **(Resolution No. 17874)**

2. Miscellaneous.

Mr. Karsh gave an update on the Planning Commission actions, stating that it is hoped that this would be the last week of deliberation on the GMA compliance package before them. He reviewed the details of some of the items being discussed by the Planning Commission.

CONSENT AGENDA.

Commissioner Hart moved to approve the Consent Agenda for Tuesday, May 30, 2000. Commissioner Anderson seconded the motion, which passed unanimously.

COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Monday, May 22, 2000.
2. Proclamation of National Trails Day in Skagit County, June 3, 2000.
3. Interlocal Agreement with the City of Anacortes for Public Facility Project Funding pursuant to RCW 82.14.370 for the "South March Point Road Upgrade" project wherein the County agrees to grant \$900,000 towards the total estimated project cost of \$1,780,000. **(Contract No. 04907)**

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PERSONNEL:

4. Agreement among the Skagit County Commissioners, Skagit County Courthouse Employees and Teamsters Local #231 for the period January 1, 2000 through December 31, 2001. **(Contract No. 04908)**
5. Agreement among the Skagit County Commissioners, District Court Judges, Skagit County District Court Clerk Employees and Teamsters Local #231 for the period January 1, 2000 through December 31, 2001. **(Contract No. 04909)**

INFORMATION SERVICES:

6. Resolution and Interagency Agreement which provides for the Washington State Center for Information Services to provide network analysis services to Skagit County for the period February 18, 2000 through February 18, 2005. **(Resolution No. 17875, Contract No. 04910)**

PARKS, RECREATION & FAIR:

7. Vendor Services Agreement with S & M Carpet Enterprises, Inc., dba JB Factor Carpets to install 80 yards of carpet with nylon pad for a not-to-exceed amount of \$1,492. **(Contract No. 04911)**

CLERK'S OFFICE:

8. Appointment and Oath of Office of Eric V. Stollwerck. **(Approved)**
9. Appointment and Oath of Office of Sheron M. Curtin. **(Approved)**

TREASURER'S OFFICE:

10. Resolution certifying listed banks as qualified public depositories as set forth by the Public Deposit Protection Commission. **(Resolution No. 17876)**

DISTRICT COURT PROBATION:

11. Probation Services Agreement with the City of Mount Vernon for the period January 1, 2000 through December 31, 2000 at service unit value of \$80.88. **(Contract No. 04912)**

YOUTH & FAMILY SERVICES:

12. Personal Services Agreement with Channel Town Soo Bahk Do Martial Arts School for the period March 1, 2000 through December 31, 2001 to provide karate lessons two times per week to ARIS clients. Compensation shall not exceed \$20,000 for the term of the agreement, with specific rates for services listed on Exhibit "B". **(Contract No. 04913)**
13. Personal Services Agreement with Children's House Child Development Home Daycare for the period March 1, 2000 through December 31, 2001 to provide childcare for ARIS clients. Reimbursement rates are \$30 per child for Registration Fee, \$25 per child for full day care, and \$12.50 per child for ½ day childcare. **(Contract No. 04914)**
14. Personal Services Agreement with Sunlight Again for the period January 1, 2000 through March 31, 2000 to provide weekly substance abuse community education group at a flat rate of \$500 per weekly meeting. **(Contract No. 04915)**

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15. Personal Services Agreement with Donald R. Taves, M.D. for the period August 1, 1999 through December 31, 2000 to provide specialized Juvenile evaluations, treatment (group and/or individual), and consultations as referred. Reimbursement rates range from \$1000 for a 50-minute evaluation with written report to \$35 for a 15-minute medical check-up with written report. **(Contract No. 04916)**
16. Interlocal Agreement for the Juvenile Accountability Incentive Block Grant to establish and maintain the juvenile and criminal justice system, schools, and social services agencies and to establish and maintain accountability-based programs that work with juvenile offenders. The maximum program funds total \$33,650, with the contract term starting March 1, 1999 and continue through November 30, 2000. **(Contract No. 04917)**

PUBLIC WORKS DEPARTMENT:

17. Resolution Calling for Bids for 2000 Dalles Road Fish Passage Project, with the bid opening scheduled for June 20, 2000 at 1:30 p.m. **(Resolution No. 17877)**
18. Resolution Calling for Public Hearing to consider the vacation of a portion of unused County right-of-way known as Kinnear Avenue, No. 19219, a private road. The public hearing is scheduled for June 12, 2000, at 10:30 a.m. **(Resolution No. 17878)**
19. Rural Arterial Program Project Agreement, Project No. 2900-03, for Construction Proposal Farm-to-Market-Road Improvement Project, Part 2, Project No. ES31010-2. The authorized RATA funds are in the amount of \$278,874. **(Contract No. 04918)**
20. Rural Arterial Program Project Agreement, Project No. 2900-01, for Construction Proposal Farm-to-Market Road Improvement Project, Party 2 (Project No. ES31010-2. The authorized RATA funds are in the amount of \$324,000. **(Contract No. 04919)**
21. Professional Services Agreement with the Skagit Watershed Council that allows the Council to develop a scientific approach for voluntary salmon habitat restoration and protection, and serve as technical liaison between Skagit County, the Restoration and Protection committee, Washington State Department of Fish & Wildlife, Skagit System Cooperative, and other parties interested in initiating habitat restoration and protection projects. The completion date for the agreement is December 31, 2000, and the maximum payable is \$30,000. **(Contract No. 04920)**
22. Supplement No. 1 to Professional Services Agreement with Alta Transportation Consulting for the development of a Countywide Nonmotorized Transportation Plan. All provisions in the basic Agreement remain in effect except for amending Exhibit B, which adds an additional Planner with an hourly rate of \$55. **(Contract No. 04754)**

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, May 30, 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 52801 through 53586 in the total dollar amount of \$788,235.39 (Transmittal No. P-19-00); and

Payroll warrants numbered 951372 through 953262 in the total dollar amount of \$82,951.72 (Transmittal No. P-20-00); and

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Warrants numbered 71008 through 71530 from Clearing Fund 696 in the total dollar amount of \$1,205,470.50 (Transmittal No. C-36-00).

2. Chris Stamey, Budget/Finance, reviewed three resolutions for the transfer of surplus computer equipment to the Conway School District, the Burlington-Edison School District for use at the Bayview School, and the Concrete School District. Commissioner Hart moved to approve these three resolutions as explained by Mr. Stamey. Commissioner Anderson seconded the motion, which passed with a unanimous vote. **(Resolution Nos. 17879, 17880, 17881)**
3. Staff presented three Authorizing Resolutions regarding funding assistance applications for a Washington Wildlife and Recreation Program project to the Interagency Committee for Outdoor Recreation. These applications are for projects as follows: Northern State Recreation Area Athletic Fields – Phase I, Walberg Field at Skagit Playfields, and Cascade Trail Information System. Commissioner Hart moved to approve the Resolution as requested, and Commissioner Anderson seconded the motion. The motion passed unanimously. **(Resolution Nos. 17882, 17883, and 17884)**

BID OPENING – CLEAN/PAINT GUEMES FERRY TRANSFER SPAN.

Steve Flude, Assistant County Engineer, advised that it would be necessary to postpone this bid opening for one week. He presented the Board with a Resolution regarding said requested postponement. Commissioner Hart moved to approve the Resolution postponing the Bid Opening until June 6, 2000, at 1:30 p.m. Commissioner Anderson seconded the motion, which passed unanimously. **(Resolution No. 17885)**

PUBLIC HEARING – TO CONSIDER TESTIMONY ON THE RENEWAL OF THE FOLLOWING INTERIM ORDINANCES:

- 1) **Interim Ordinance No. 17679.** This ordinance extends the provisions of Ordinance No. 17494, an interim ordinance amending portions of the short subdivision ordinance (SCC 14.08) relating to interim short CaRD (Conservation and Reserve Development) subdivision.
- 2) **Interim Ordinance No. 17745.** This ordinance consolidates and renews the provisions of Ordinance No. 17523 and Interim Ordinance No. 17570 relating to the removal of the UGA designation from the area shown as the Big Lake UGA on Comprehensive Plan Map 3(h) in the 1997 Comprehensive Plan Map Portfolio on an interim basis and its replacement with a Rural Village (RV) designation.
- 3) **Interim Ordinance No. 17746.** This ordinance renews the provisions of Ordinance No. 17536, an ordinance extending the provisions of Ordinance No. 17524, which suspended acceptance of new mining permits under Skagit County Code 14.04.126 pending the adoption of a new or revised mining ordinance.
- 4) **Interim Ordinance No. 17749.** This ordinance renews interim Ordinance No. 17595, Chapter 14.06 Critical Areas Ordinance (CAO), (with the exceptions of sections .095 and .096).
- 5) **Interim Ordinance No. 17760.** This ordinance addresses expansion opportunities and changes of use for *existing* commercial and industrial businesses outside of UGAs pending adoption of a new and/or expanded ordinance as part of the adoption of the Unified Development Code.
- 6) **Interim Ordinance No. 17804.** This ordinance renews the provisions of Ordinance No. 17568, establishing an Interim Urban Growth Area for Bayview Ridge and establishing use restrictions and requirements for public facilities and services and a commitment to complete a subarea plan.
- 7) **Interim Ordinance No. 17805.** This ordinance renews the provisions of Ordinance No. 17569, relating to the regulation of the placement, construction, and modification of personal wireless service facilities.
- 8) **Interim Ordinance No. 17813.** This ordinance renews the provisions of Ordinance No. 17575, relating to the implementing 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.
- 9) **Interim Ordinance No. 17828.** This ordinance reaffirms interim Ordinance No. 17712, amending portions Agriculture on Lands Designated Agriculture-NRL” and Section 14.06.096, “Strategic Plan for Protecting Wild Salmonids.”

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Gary Christensen, Assistant Director of the Planning & Permit Center, stated that 9 interim ordinances are before the Board for the purpose of renewing the provisions thereof, based in large part on a Settlement Agreement with Friends of Skagit County. That Settlement Agreement has been terminated, and the County is required to re-adopt each Interim Ordinance so that issues could be raised before the Western Washington Growth Management Hearings Board. He advised that the Department would go through each of these Ordinances and take oral and written testimony, but that deliberations on each issue would be heard on Monday, June 5, at 10:30 a.m. He indicated that the comment period expired at the end of the public hearing.

Commissioner Wolden advised that each of these ordinances would be considered separate public hearings, and as such, testimony would be heard on each item and then each public hearing would be closed. With that, he opened the public hearings.

- 1) Interim Ordinance No. 17679. This ordinance extends the provisions of Ordinance No. 17494, an interim ordinance amending portions of the short subdivision ordinance (SCC 14.08) relating to interim short CaRD (Conservation and Reserve Development) subdivision.

Tom Solberg, 19019 Minnie Road, Alger, made several comments on the Long CaRD, indicating that the process is much too onerous.

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

- 2) Interim Ordinance No. 17745. This ordinance consolidates and renews the provisions of Ordinance No. 17523 and Interim Ordinance No. 17570 relating to the removal of the UGA designation from the area shown as the Big Lake UGA on Comprehensive Plan Map 3(h) in the 1997 Comprehensive Plan Map Portfolio on an interim basis and its replacement with a Rural Village (RV) designation.

Mr. Solberg stated that this ordinance allowing Big Lake to become a rural village is a sign of laziness, as it should have been designated an Urban Growth Area (UGA). He commented that residential growth should go to the Big Lake Area, while industrial growth should go to the Bayview Ridge area. He further commented on the required 80/20 split, giving 80% of the growth to the cities.

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

- 3) Interim Ordinance No. 17746. This ordinance renews the provisions of Ordinance No. 17536, an ordinance extending the provisions of Ordinance No. 17524, which suspended acceptance of new mining permits under Skagit County Code 14.04.126 pending the adoption of a new or revised mining ordinance.

Bill Vaux, 5108 Heather Court, Anacortes, employee of Port Gardner Timber Company, asked about the timeframe for the acceptance of new mining applications and adoption of new code language regarding mining. Staff responded that such a mining code should be adopted within the next 30 days.

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

- 4) Interim Ordinance No. 17749. This ordinance renews interim Ordinance No. 17595, Chapter 14.06 Critical Areas Ordinance (CAO), (with the exceptions of sections .095 and .096).

Mr. Solberg commented that after this Spring the whole County should be considered wetlands. He indicated that there needs to be some form of compensation for the takings regarding buffers in the upland areas. He applauded the work with the farmers, but emphasized the need to also lend support to those citizens in the upland areas. He asked that the Conservation Futures Fund be expanded to include such properties.

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

- 5) Interim Ordinance No. 17760. This ordinance addresses expansion opportunities and changes of use for *existing* commercial and industrial businesses outside of UGAs pending adoption of a new and/or expanded ordinance as part of the adoption of the Unified Development Code.

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.

- 6) Interim Ordinance No. 17804. This ordinance renews the provisions of Ordinance No. 17568, establishing an Interim Urban Growth Area for Bayview Ridge and establishing use restrictions and requirements for public facilities and services and a commitment to complete a subarea plan.

Mr. Solberg indicated that he is hopeful that the Bayview Ridge UGA always remains in County hands and never reverts to the City, noting the tax dollars generated that are of benefit to the County as a whole. He further commented on the need to have the Bayview Ridge area reserved for industrial growth, stating that there are always problems when residential areas are developed near an airport..

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

- 7) Interim Ordinance No. 17805. This ordinance renews the provisions of Ordinance No. 17569, relating to the regulation of the placement, construction, and modification of personal wireless service facilities.

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.

- 8) Interim Ordinance No. 17813. This ordinance renews the provisions of Ordinance No. 17575, relating to the implementing 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.

Mr. Christensen reviewed a technical mapping error that was identified within Mount Vernon's UGA, noting that the Board could take action on this error in 30 days. He reviewed the details of the error.

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

- 9) Interim Ordinance No. 17828. This ordinance reaffirms interim Ordinance No. 17712, amending portions Agriculture on Lands Designated Agriculture-NRL" and Section 14.06.096, "Strategic Plan for Protecting Wild Salmonids."

Mr. Solberg stated that he hoped this plan would go through to give the farmers a break, as well as upland citizens.

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

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

ATTEST:

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