

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
Monday, July 24, 2000**

9:30 a.m. – 10:00 a.m.	Executive Session – Personnel, Litigation and Land Acquisition
10:00 a.m. – 10:15 a.m.	CONSENT AGENDA. MISCELLANEOUS.
10:30 a.m. – 11:00 a.m.	Discussion – Guemes Ferry Committee.
*T 11:00 a.m. – 11:30 a.m.	Review and Official Signing of an Ordinance Adopting Certain Growth Management Act (GMA) Compliance Policies, Plans, Unified Development Code, and Related Documents.
*T 11:30 a.m. – Noon	Discussion and Possible Adoption of Economic Development Project Committee Recommendations.
1:30 p.m. – 3:00 p.m.	Tour of Skagit Speedway Facilities, Alger.

The Skagit County Board of Commissioners met in regular session on Monday, July 24, 2000, with Commissioners Harvey Wolden, Robert Hart, and Ted W. Anderson present.

CONSENT AGENDA.

Commissioner Hart moved to approve the Consent Agenda for Monday, July 24, items 1-14. Commissioner Anderson seconded the motion, which passed with a unanimous vote.

COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Monday, July 17 2000.
2. Record of the Proceedings for Tuesday, July 18, 2000
3. Resolution Establishing Salary Levels of County Commissioners District Nos. 1 & 2 and for Skagit County Elected Officials. **(Resolution No. 17939)**

PERSONNEL:

4. Group Health Care Service Contract for Employees of Skagit County with the Northwest Washington Medical Bureau effective January 1, 2000. **(Contract No. 04990)**

YOUTH & FAMILY SERVICES:

5. Personal Services Agreement with Reachout Expeditions to provide youth activities to ARIS clients. Compensation ranges from \$350 per boat for youth group white water river rafting to \$40 per person for rock climbing adventures. The contract term is June 1, 2000 through December 31, 2001. **(Contract No. 04991)**

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HEALTH DEPARTMENT:

6. Contract with Community Mental Health Services Therapeutic Child Development Program for the period July 1, 2000 through June 30, 2001, for a maximum compensation of \$6,510 payable to Skagit County for nursing services rendered in this regard. **(Contract No. 04992)**
7. Contract with the State Department of Social and Health Services wherein the Health Department will provide an Alternative Response System Program for families that are screened by Child Protection Services to be low risk to moderately low risk of abuse or neglect. The maximum consideration payable to the County is \$18,720, with the contract period being July 1, 2000 through June 30, 2001. **(Contract No. 04993)**

PUBLIC WORKS DEPARTMENT:

8. Ordinance Amending Skagit County Code Section 10.04.030 to establish a maximum speed limit on Farm-to-Market Road, #31010, as approved at a public hearing on June 27, 2000. **(Resolution No. 17940)**
9. Ordinance Amending Skagit County Code Section 10.04.030 to establish a maximum speed limit on Pioneer Highway, #80090, as approved at a public hearing on June 27, 2000. **(Resolution No. 17941)**
10. Resolution approving the sale of surplus equipment from the Cook Road Improvement Project to the Washington State Department of Transportation. This surplus equipment was used for traffic mitigation along the detour route for the project, and consists of a video detection system for a price of \$7,500 and a wireless modem system for a price of \$4,900. **(Resolution No. 17942)**
11. Professional Services Agreement with Norquest Realty Advisors, Ltd. for on-call real estate appraisal services through December 31, 2001. The maximum amount payable is \$100,000. **(Contract No. 04994)**
12. Supplement No. 4 to Professional Services Agreement with Wheeler Management Assistance relative to work on the Non-Motorized Transportation Plan. The term of the agreement is amended to change the completion date to August 31, 2000 to allow for completion of the dike feasibility study and countywide bicycle map. **(Contract No. 04331)**
13. Supplement No. 3 to Standard Consultant Agreement with Pharos Corporation extending the time of completion to April 30, 2001, with no change in the amount of the contract. **(Contract No. 04143)**
14. Vendor Services Agreement with Apply-A-Line, Inc. to provide for thermoplastic markings for various Public Works projects for a not-to-exceed amount of \$4,999. **(Contract No. 04995)**

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, July 24 2000, 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 74763 through 75166 from Clearing Fund 696 in the total dollar amount of \$884,547.30 (Transmittal No. C-45-00).

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2. On behalf of the Public Works Department, Staff presented Amendment No. 1 to a Vendor Services Agreement with Culbertson Marine Construction. This Amendment provides for replacing the steel backing plates for the electric control panels on the Guemes Ferry transfer spans, and would add an additional \$1,500 to the lump sum cost, bringing the total cost to \$21,132 plus Washington State Sales Tax. Commissioner Hart moved to approve the Amendment as presented, and Commissioner Anderson seconded the motion. The motion passed with a unanimous vote. **(Contract No. 04906)**
3. On behalf of Facilities Management, Staff presented a Bid Award of the Skagit County Road Oil Tank System Upgrade for a total bid of \$448,399.27. Staff advised that the low bid of NAPC had been withdrawn as the bidder had inadvertently made a mathematical error in their bid, and was non-responsive to several required questions. After a brief discussion, Commissioner Hart moved to approve the Bid Award to Industrial Resources, Inc. for a total bid of \$448,399.27. Commissioner Anderson seconded the motion. The motion passed with a unanimous vote. **(Resolution No. 17943)**

DISCUSSION – GUEMES FERRY COMMITTEE.

Max Benjamin, Guemes Ferry Committee Chairman, asked for the Board's direction and guidance in resolving ferry problems. He asked on behalf of the Guemes Ferry Committee, that the Board give directions once again to the Public Works Department to establish a smooth and timely business interaction with the Committee. He spoke to the need to work within established policies and practices that have allowed for successful communications in the past.

Commissioner Hart acknowledged that there had been some known friction between the Committee and Dave Brookings of the Public Works Department.

Mr. Benjamin responded that the Committee had been working with Steve Cox and Chal Martin, and had tried to work with Mr. Brookings. They have, however, found themselves stymied in receiving information they have requested. He reviewed that in August of 1999 the Committee requested such information and to date it has not been forthcoming. He commented that the Committee feels that Mr. Cox is doing a good job for the County as the Ferry Manager.

Chairman Wolden asked if there were other concerns other than the receipt of requested information.

Mr. Benjamin responded that the Committee has not approached the Public Works Department in a frivolous manner, but only when a request for same has come forward from citizens for specific information. He complained that some actions taken by the Public Works Department have resulted in unilateral actions being taken without discussion with the Committee, seeking their advice and historical perspective on various projects and policies.

Commissioner Anderson summarized that the Committee would like to provide feedback to the Department and be more involved in the actual formation of policies and process, becoming more of a collaborative process with the Public Works Department and the Ferry Committee.

Mr. Benjamin confirmed that, from a historical point of view, this has always been a joint working process, and that such interaction would provide for smooth operation of the ferry. He asked that the Board instruct the Public Works Department to work more directly with the Ferry Committee.

Chairman Wolden stated that the Ferry Committee should work with Steve Cox, who should work in conjunction with Public Works Department managers in this regard.

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REVIEW AND OFFICIAL SIGNING OF AN ORDINANCE ADOPTING CERTAIN GROWTH MANAGEMENT ACT (GMA) COMPLIANCE POLICIES, PLANS, UNIFIED DEVELOPMENT CODE, AND RELATED DOCUMENTS.

Tom Karsh, Director, announced that this session is a historic event culminating in ten years of land use activities in terms of compliance with the Growth Management Act (GMA) and discussions with Skagit County citizens regarding the uses of land. He reviewed that on June the 20th, the Board took action on the items submitted for signature today. These include the Unified Development Code among other GMA compliance policies and plans and related documents. He explained that this action would basically repeal five year's worth of interim ordinances, with a few exceptions including the ordinance relative to the Bayview Ridge Urban Growth Area.

Mr. Karsh advised that Jay Derr of Buck & Gordon was present to answer any questions the Board may have. Mr. Karsh stated that the Planning & Permit Center is looking forward to implementing the new codes, and is eager to provide the information to the public. He indicated that all of the new regulations and other changes are available on the County's website, as well as at local libraries. In addition, PrintWise in Mount Vernon can provide copies to those individuals wanting a hard copy.

Commissioner Anderson commented briefly on the recent discussions with churches and their ability to expand, and the need to further investigate and make changes. The other issue was with the Port on some of the concurrency language and confusion about which ordinance they would fall under.

A discussion ensued on these specific sections and Mr. Derr advised that these documents cannot be changed at this point in time, but that further study and revisions can be made in the near future.

Commissioner Hart acknowledged that anytime 800 pages of material is adopted, there will be typographical errors and other changes.

Mr. Karsh advised that anyone unhappy with the Comprehensive Plan would have until July 31st of this year to petition for a change, whether it is a comprehensive mapping error or a policy or objective. He commented briefly that the Board would also be able to initiate amendments as well. Mr. Karsh discussed that there is a petition filing fee of \$500, and if the Board does not remand such amendment to the Planning Commission, then historically the petition fees have been refunded.

Commissioner Hart asked what triggers the time for appeal of these documents.

Mr. Derr stated that if the Ordinance is adopted as drafted, it would become effective today at the time of signing, with publication scheduled for Thursday, July 27th, and the time for appeal running from there.

Commissioner Hart moved to adopt the Ordinance as approved on June 20 enacting the Unified Development Code, the Comprehensive Plan and associated documents. Commissioner Anderson seconded the motion.

Commissioner Anderson stated that this is a historic event, with the Comprehensive Plan being the toughest task County government has ever been faced with, as mandated by the State of Washington. He stated that throughout this process, it has been an annoyance to him that the Commissioners did not have more latitude to make locally-based decisions. He commented that the process has been drive top-down, and most often is best served when based on a bottom-up process. He commented that many counties are just starting to face growth issues. He stated that there have been many tough issues, some winners and some losers, but those involved have done the best they could do under the circumstances.

Chairman Wolden stated that this has been a long onerous process, which was effected dramatically by the advent of the Growth Management Hearings Board. He stated that when you have outside agencies and non-elected parties determining what Counties must do, you certainly do not have what people who

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got in on the ground floor intended. He indicated the need to make requested changes to these documents quickly, to save property owners as much grief as possible.

Commissioner Hart reviewed that the visioning process started in July of 1990, and that the initial process emphasized maintaining economic viability. Unfortunately, he noted, the devil is in the detail, and when property rights are protected, it often affects your neighbor's property rights with what they can or cannot do with their land. He stated that the documents to be adopted have had an enormous amount of work and debate, and allow for the continuance of economic vitality in Skagit County.

Upon call for the question, the motion passed with a unanimous vote. **(Ordinance No. 17938)**

DISCUSSION AND POSSIBLE ADOPTION OF ECONOMIC DEVELOPMENT PROJECT COMMITTEE RECOMMENDATIONS.

Alicia Huschka, County Budget Director and facilitator for the Economic Development Project Committee, reviewed the history and background of the sales and use tax credit for the purpose of financing public facilities. She reported that the Board adopted the pertinent resolution effective July 1, 1998, with such resolution being in effect for 25 years.

Ms. Huschka stated that Skagit County imposed the tax credit at the earliest possible time, and that the tax monies to be collected are estimated at \$1,200,000. An Advisory Committee was established, consisting of seven individuals that make recommendations to the Board of Commissioners utilizing criteria established in the resolution. This is the second round of submittals of projects considered by the Committee.

Ms. Huschka reviewed the criteria used to evaluate the public facilities projects. Such criteria consists of matching funds equal to over 50% of the project, readiness to proceed, adherence to local comprehensive plans, job creation and retention, and a desirable project timeline.

Ms. Huschka reviewed the nine projects that were received by the June 1 deadline. These were summarized as:

City of Burlington Goldenrod Road Bridge Improvement	\$500,000	26% Funding
City of Sedro Woolley Gravity Sewer & Pump Stations	\$500,000	33% Funding
Town of Concrete Wastewater Facilities Upgrade	\$400,000	15% Funding
City of Mount Vernon Urban Ave. Traffic Improvements	\$500,000	40% Funding
Port of Anacortes Pier II Facility Improvements	\$408,000	30% Funding
Town of LaConner Morris Street Reconstruction	\$250,000	7% Funding
City of Anacortes Downtown Streetscape Improvements	\$ 50,000	29% Funding

Commissioner Anderson stated that he was disappointed at the recommendation for the Town of Concrete; thinking that the funding percentage should have been higher.

Chairman Wolden stated that he also disagreed with the Committee on the amount awarded for LaConner's Morris Street Reconstruction project. He stated that overall, however, and with the exception of LaConner's project, the remaining projects were in line with his thoughts.

Commissioner Hart confirmed with Ms. Huschka that this money would allow development to go forward in many communities that would not be able to afford such projects without this additional funding. He reiterated that this is not new money, but money that is redirected back to local jurisdictions.

Ms. Huschka reported that the grand total of the award is \$2,608,000, and that the total of the two rounds of awards is \$7,498,000. She stated that bonds were issued in April for a total of \$8,000,000.

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A lengthy discussion ensued regarding other projects within the County, and the need to develop long-term economic viability utilizing the funding. The WSU Research Station project was discussed in this regard.

Commissioner Hart moved to approve the Resolution awarding the funding as recommended by the Committee and presented by Ms. Huschka. He further directed that a letter of intent be prepared to support the project of the WSU Research Station. Commissioner Anderson seconded the motion, which passed unanimously. (**Resolution No. 17944**)

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