

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
Tuesday, August 22, 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"><li>1) Public Hearing – To Consider Testimony regarding the sale of County Surplus Property in accordance with RCW 36.34 as follows: Passenger Vehicles, Pick-Up Trucks, Equipment, Various Other Miscellaneous Shop Equipment and Parts, and Miscellaneous Office Equipment and Furniture.</li><li>2) Signature – Change Order No. 4 to Contract with Wilder Construction for the Cook Road Improvement Project, ES63000-6 and ES63000-7.</li><li>3) Signature – Resolution Regarding Adoption of the Updated Skagit County Utility Policy – Accommodation of Utilities on County Road Right-of-Way.</li><li>4) Miscellaneous.</li></ol> |
| 10:00 a.m. – 10:30 a.m.   | <u>Planning &amp; Permit Center – Tom Karsh, Director.</u> <ol style="list-style-type: none"><li>1) Signature – Amendment No. 3 to Personal Services Agreement with Wheeler Consulting Group.</li><li>2) Miscellaneous.</li></ol>   |
| 10:30 a.m. – 11:00 a.m.   | Executive Session – Personnel, Litigation and Land Acquisition.   |
| 11:00 a.m. – Noon         | Public Hearing – To Consider Testimony regarding the proposed annexation of property into the Dunbar Sub-Flood Control Zone (Lot 1 of Short Plat #68-79).   |

The Skagit County Board of Commissioners met in regular session on Tuesday, August 22, 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 sale of County Surplus Property in accordance with RCW 36.34 as follows: Passenger Vehicles, Pick-Up Trucks, Equipment, Various Other Miscellaneous Shop Equipment and Parts, and Miscellaneous Office Equipment and Furniture.

Steve Cox, ER&R Coordinator, advised that the auction list had not yet been completed, but would include such items as a grader, small trucks, sheriff's vehicles, furniture and other miscellaneous equipment. Upon query from the Board, Mr. Cox advised that he had or would be contacting all of the local municipalities so that they could take possible advantage of the equipment being sold if they so desired.

Chairman Wolden opened the public hearing.

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

Commissioner Hart moved to proceed with the auction of the articles on September 22, 2000. The motion was seconded by Commissioner Anderson, and passed unanimously. **(Staff to provide a Resolution at a later date).**

2. Signature – Change Order No. 4 to Contract with Wilder Construction for the Cook Road Improvement Project, ES63000-6 and ES6300-7.

Steve Flude, Assistant Director, presented Change Order No. 4 to the contract with Wilder Construction for the Cook Road Improvement Project in the amount of \$203,359.05. He reviewed the breakdown of the change order showing several credits and additional adjustments to various pay items. He explained that the largest dollar amount is the incentive pay for early completion.

The Board commented on the success of the project and the impressive work of Janice Marlega and other staff members in this regard.

Commissioner Anderson moved to approve Change Order No. 4 as explained by Mr. Flude. The motion was seconded by Commissioner Hart and passed with a unanimous vote. **(Contract No. 04826)**

3. Signature – Resolution Regarding Adoption of the Updated Skagit County Utility Policy – Accommodation of Utilities on County Road Right-of-Way.

Chal Martin, Director, stated that the Department is continuing to update documents that they work with every day in Public Works.

Mr. Flude reviewed the updates to the Skagit County Public Works Utility Policy. He stated that Dave Sheridan and the Development Review Committee had worked on the document that would include policies for a better review product out in the field.

Commissioner Hart commented that he was happy to see coordination with the permitting process.

After a brief discussion, Commissioner Hart moved to approve a Resolution updating the Skagit County Utility Policy – Accommodation of Utilities on County Road Right-of-Way. The motion was seconded by Commissioner Anderson and passed unanimously. **(Resolution No. 17968)**

4. Miscellaneous.
  - A. Mr. Flude presented a Call for Public Hearing to consider renaming a portion of Gardner Road to South Gardner Road, with the public hearing scheduled for September 5. Commissioner Anderson moved to approve the Resolution as presented and Commissioner Hart seconded the motion. The motion passed with a unanimous vote. **(Resolution No. 17969)**
  - B. Mr. Flude presented a Facility Relocation/Modification Agreement with Puget Sound Energy, Inc. for the Board's consideration. The work to be performed will include the relocation of two poles, installation of a 5' x 7' Junction Vault and two PVC pipes crossing the proposed intersection of Bay Ridge. The County will provide all surveying for alignment and grading, trenching and excavation for the vault and pipe. After a brief discussion, Commissioner Hart moved to approve the Agreement as presented. Commissioner Anderson seconded the motion, and it passed with a unanimous vote. **(Contract No. 05019)**

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- C. Mr. Martin next discussed two documents for the Board's signature involving the permitting process on the Leonard Ridge Communications Site. These are a Special-Use Application and Report prepared for the USDA-Forest Service and the Site Plan.

Nat Dickinson, Northwest Regional Council, who prepared the documents, indicated that this is a cost-sharing project to develop the Leonard Ridge Communication Site to increase public safety for the eastern portion of the County for improved Sheriff's deputy communications and Public Works Department communications. He explained that the Forest Service already owns and operates the site, and this would allow the County in partnership with Northwest Regional Council and the Forest Service, to add additional equipment to the site.

Commissioner Anderson moved for approval of the Chairman to sign the Special-Use Application and Report and the Site Plan as requested. Commissioner Hart seconded the motion. The motion passed with a unanimous vote. The Board signed and initialed the documents.

### **PLANNING & PERMIT CENTER – Tom Karsh, Director.**

1. Signature – Amendment No. 3 to Personal Services Agreement with Wheeler Consulting Group.

Corey Schmidt, Assistant Director, presented Amendment No. 3 to a Personal Services Agreement with Wheeler Consulting Group. He briefly explained the increased scope of work the document.

Commissioner Hart moved to approve the Amendment as presented, and Commissioner Anderson seconded the motion. The motion passed unanimously. **(Contract No. 04446)**

2. Miscellaneous.

- A. Gary Christensen, Assistant Director, reported that a public service announcement soliciting for members for a Citizens Advisory Committee for Bay View Ridge had been released and that August 21st was the cut-off date for submitting applications. He will compile a list of the applications and submit it to the Board for discussion and action.

In this regard, he attended a meeting at the City of Burlington with Fire District Commissioners from Districts 2, 6, and 12, the Fire Marshall, Burlington Fire Chief, Port of Skagit County and property owners to discuss consolidation, merger, and service area agreements. The Fire Districts have been instrumental in working on this project.

Mr. Christensen stated that other discussions pertained to urban levels of service in the Bay View Ridge Area. He advised that certain levels have been established through the County-wide Planning Policies, but such policies do not mandate that certain districts must provide those services. It is important such districts can provide such services within a six-year period of time in order to have a validated urban growth area. He reported that all of the parties recognize the importance of commercial and industrial development, and that he would be working with the Fire Districts to assist in development of their capital facilities plans. Mr. Christensen stated that he was very pleased at the outcome and spirit of cooperation present at the meeting.

- B. Mr. Christensen advised that when the County adopted the Comprehensive Plan and Unified Development Code, shortly thereafter the Town of Concrete development regulations were also adopted as an interim ordinance. Consequently, a public hearing must be held within 60 days and the Department asked to schedule that public hearing before the Planning Commission so that the adopted regulations could become permanent.

Commissioner Anderson concurred that the Planning Commission would be the proper venue for the public hearing.

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Mr. Christensen reported that September 12 is the tentative date for the Planning Commission public hearing in this regard. The Board suggested notifying property owners within the unincorporated area of the urban growth area so that their views could be heard at the public hearing.

- C. Mr. Christensen stated that when adopting the Comprehensive Plan and Unified Development Code, it was discussed that a work program needed to be established setting a budget and timeline to plan for the future. He suggested that on September 12, following the public hearing, a study session could be scheduled to begin discussions as to what priorities or projects the Planning Commission would like to focus on in upcoming months. The Department could then develop a matrix of projects for further discussion and prioritization. Mr. Christensen noted that this would help the Department during budget discussions.

A discussion ensued regarding the terms of the Planning Commission members.

- D. Mr. Christensen reported that the remanded 1997 Comprehensive Plan Amendments have been worked on by Staff for the seven remanded properties. Staff Reports have been prepared and will be submitted to the Planning Commission asking them to readdress these issues and look for new findings. He stated that the tentative date for the Planning Commission to review this material is September 19th.

- E. Mr. Christensen next discussed three petitions for annexation, which had been previously reviewed by the Board, but with the absence of Commissioner Hart. Two of these proposed annexations are within the City of Burlington, which, Mr. Christensen advised, Commissioners Wolden and Anderson had no problem with. The third petition is for an extension of Skagit County Fire Protection District No. 9 into an industrial forest zone. Mr. Christensen detailed the exact location of the subject property, and advised that there is a County-wide Planning Policy that discourages the expansion of fire districts into areas that are designated as commercial forest/resource lands. He reported that as part of the petition for annexation, the landowner had indicated that if the annexation request is denied, he would be seeking a Comprehensive Plan Amendment for redesignation of his property to secondary forest. Mr. Christensen said that this might be the more appropriate method for handling this request.

A discussion ensued on the particulars of the project and the available building sites. Mr. Christensen confirmed that the purpose of the annexation is to obtain a building permit.

Commissioner Hart indicated that he would rather not invoke the Boundary Review Board and let the landowner come back for a Comprehensive Plan Amendment. He commented that the criteria for such an amendment would be favorable in his opinion. He stated that he was not opposing annexation into the fire district, but saw no reason to invoke the Boundary Review Board on this request, when the Comprehensive Plan Amendment would address the issues of the landowner.

Commissioners Anderson and Wolden concurred with Commissioner Hart's comments.

**PUBLIC HEARING – TO CONSIDER TESTIMONY REGARDING THE PROPOSED ANNEXATION OF PROPERTY INTO THE DUNBAR SUB-FLOOD CONTROL ZONE (Lot 1 of Short Plat #68-79).**

John Abenroth, Public Works Department Staff, stated that a petition was received to add his lot into the existing Dunbar Sub-Flood Control Zone. He reviewed a history of the formation of the Dunbar Sub-Flood Control Zone. He reported on a standing water concern in the area, and stated that the existing drainage system could receive the excess water from this problem area. He stated that the engineer has

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shown that the existing pump station can be altered to handle the water from the proposed annexed property.

Young Su-Kim, Summit Engineers & Surveyors, reviewed the particulars of the drainage system at the Wilson Auto Brokers site. He discussed the difficulties encountered with the on-site drainage system, and the need to tie in to the Sub-Flood Control Zone to take care of stormwater at the site as well as run-off from Memorial Highway. He explained that the site is within the City of Mount Vernon's urban growth area, and that he and his client have been working with the City to address these problems.

After a brief discussion on the particulars of the area, and 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.

Commissioner Hart moved to approve the recommendation of the Public Works Department to annex the Wilson Auto Brokers property into the Dunbar Sub-Flood Control Zone. Commissioner Anderson seconded the motion. The motion was unanimously approved. **(Staff will provide a Resolution at a later date)**

**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**

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Harvey Wolden, Chairman

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Robert Hart, Commissioner

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Ted W. Anderson, Commissioner

ATTEST:

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