

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
Tuesday, October 17, 2000**

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 – Consideration of Renaming a Portion of a County Road known as Allen Road, No. 23610, to Llama Lane, No. 23620.</li><li>2) Public Hearing – Establishment of a Maximum Speed Limit of 25 m.p.h. on a Portion of Burkland Road, No. 82050, from Milepost 0.00 to Milepost 1.00.</li><li>3) Signature – Resolution Regarding Notice of Road Closure for Bayview-Edison Road, No. 31210.</li><li>4) Signature – Proclamation of Flood Awareness Week, October 23 - 27, 2000.</li><li>5) Signature – Resolution of Intention to Form Lake Management District No. 3 for Lake Erie and Lake Campbell.</li><li>6) Miscellaneous.</li></ol>
10:00 a.m. – Noon	<u>Planning &amp; Permit Center – Tom Karsh, Director.</u> <ol style="list-style-type: none"><li>1) Discussion – Bayview Ridge Urban Growth Area Citizens Advisory Committee.</li><li>2) Discussion and Possible Action – Amendment No. 2 to Personal Services Agreement #04771 with Reid Middleton regarding Bayview Ridge Urban Growth Area.</li><li>3) Discussion – Skagit County Fire Protection District No. 12 Merger with District No. 2.</li><li>4) Set Date and Time for Review and Possible Action on Planning Commission Recommendation on Remanded 1997 Comprehensive Plan Amendments.</li><li>5) Set Date and Time for Review and Possible Action on Planning Commission Recommendation on County Capital Facilities Plan, 2001 – 2006.</li><li>6) Set Date and Time for Review and Possible Action on Pending 1997, 1998, 1999, and 2000 Petitions Requesting Amendments to the Comprehensive Plan.</li><li>7) Miscellaneous.</li></ol>
1:30 p.m. – 4:30 p.m.	Budget Work Session.

The Skagit County Board of Commissioners met in regular session on Tuesday, October 17, 2000, with Commissioners Harvey Wolden, Ted W. Anderson, and Robert Hart present.

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**PUBLIC WORKS DEPARTMENT – Chal Martin, Director.**

**1. Public Hearing – Consideration of Renaming a Portion of a County Road known as Allen Road, No. 23610, to Llama Lane, No. 23620.**

Steve Flude, Assistant County Engineer, reviewed the exact location of the subject roadway.

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.

Commissioner Hart moved to approve the renaming of a portion of a County Road known as Allen Road, No. 23610, to Llama Lane, No. 23620. Commissioner Anderson seconded the motion, which passed with a unanimous vote. **(Resolution No. 18025)**

**2. Public Hearing – Establishment of a Maximum Speed Limit of 25 m.p.h. on a Portion of Burkland Road, No. 82050, from Milepost 0.00 to Milepost 1.00.**

Mr. Flude reviewed the exact location of the proposed speed limit change along a portion of Burkland Road from Milepost 0.00 to Milepost 1.00. He advised that this action would change the maximum speed limit from 35 mph to 25 mph. Mr. Flude reported that the speed limit change request was brought forward by residents along the roadway, and that the Department concurred with the request of such residents.

Chairman Wolden verified that the appropriate signage would be forthcoming if there was a speed limit change. He commented on the difficulties in enforcing the new proposed limit, and the possibility that local residents would be those being ticketed for excessive speed.

Bruce Lisser, 18147 Burkland Road, stated that he was active in gathering 100% of the resident's signatures between Hickock and Stackpole Roads. He indicated that the road is very narrow and the houses are built very close to the road. Consequently, there is very poor sight distance for the 20+ children in the area. He stated that the main concern is for the safety of children.

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

Commissioner Anderson moved to approve the establishment of a 25 mph speed limit on a portion of Burkland Road, No. 82050, from Milepost 0.00 to Milepost 1.00. Chairman Wolden seconded the motion, which passed unanimously. **(Resolution to be provided by Staff at a Later Date)**

**3. Signature – Resolution Regarding Notice of Road Closure for Bayview-Edison Road, No. 31210.**

Mr. Flude reviewed the proposed road closure to facilitate Burlington Northern/Santa Fe Railroad in reconstructing their railroad crossing. He reviewed the alternate route that would be available to County citizens. Commissioner Hart moved to approve the notice of road closure as proposed by Mr. Flude and Commissioner Anderson seconded the motion. The motion passed with a unanimous vote. **(Resolution No. 18026)**

**4. Signature – Proclamation of Flood Awareness Week, October 23-27, 2000.**

Sky Miller, Surface Water Management Division Manager, reviewed the activities of Flood Awareness Week, and the necessary practices involving the Army Corps of Engineers, Dike Districts and others. He asked the Board to approve a Proclamation of October 23 –27 as Flood Awareness Week in Skagit

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County. He reported on the various community activities and brochures that would be distributed during this time, including a 10-hour flood fight training exercise.

Commissioner Hart read the Proclamation into the record, and moved to approve the Proclamation as read. Commissioner Anderson seconded the motion. The motion passed unanimously.

### 5. Signature – Resolution of Intention to form Lake Management District No. 3 for Lake Erie and Lake Campbell.

Mike Cawrse, Surface Water Management Division, presented a resolution of intention to form Lake Management District No. 3 for Lake Erie and Lake Campbell, with the required public hearing to be held on November 28, 2000.

Chairman Wolden noted that a petition was received by the Department signed by a majority of the property owners in the area. He noted that this lake management district formation is brought forward by the homeowners and not by the Commissioners. Mr. Cawrse confirmed that fact, adding that the recently-approved Citizen Advisory Committee is recommending treatment and proposed assessments and would be presenting those findings to the community.

Commissioner Hart cautioned that one of the things that the residents around Lakes Campbell and Erie should be made aware of is that there will be a limited amount of staff time that can be dedicated to these lake management districts in the future.

Commissioner Hart moved to approve the Resolution of Intention to Establish Lake Management District No. 3 for Lake Erie and Lake Campbell. The motion was seconded by Commissioner Anderson and was unanimously approved. **(Resolution No. 18027)**

### 6. Miscellaneous.

Chal Martin, Director, informed the Board of the intent to sign a joint application with the City of Mount Vernon for a Corridor Congestion Relief Program project.

Mr. Flude reviewed the specific location of the proposed project, including an extension of LaVenture Road from Fowler Road in South Mount Vernon in a southerly direction to the Anderson Road Interchange with Interstate 5. The application for these funds must be signed by the approving authority of the County and would then be submitted to the City of Mount Vernon for the Mayor's signature.

Chairman Wolden commented that this is a necessary project that would help traffic along the Interstate 5 Corridor, and would benefit the eastern part of the City of Mount Vernon in further utilizing the Anderson Road interchange.

Commissioner Hart moved to approve the application for the Corridor Congestion Relief Program for the Anderson Road Interchange as explained by Mr. Flude. The motion was seconded by Commissioner Anderson and passed unanimously. Chairman Wolden signed the necessary Application Form.

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

### 1. Discussion – Bayview Ridge Urban Growth Area Citizens Advisory Committee.

Gary Christensen, Assistant Director, reviewed the list of 14 citizen submittals for the Bayview Ridge Urban Growth Area Citizens Advisory Committee (UGA CAC). These individuals would assist in the Bayview Ridge UGA subarea planning program. He reviewed the history of the solicitation for such citizen involvement, noting that ideally the committee should have 6-10 members. He stated that once

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the Board chooses the members of the Committee, the Department would prepare a Resolution which would make the appointments official.

Commissioner Hart suggested having nine members on the CAC, and that the CAC should consist of residents or property owners in the area.

Commissioner Anderson suggested the following individuals be included on the CAC: Cindy Jacobson, Jon Sitkin, Jack Wallace, Bill Knutzen, Deanna Carlson, John Bouslog and John Brink.

Commissioner Hart suggested adding two additional names for nine members, those being Bill Henry and Julie Hubner.

Chairman Wolden moved to approve the members of the CAC as listed by Commissioners Hart and Anderson. Commissioner Anderson seconded the motion, which was unanimously approved.

**(Resolution to be provided by Staff at a Later Date)**

### **2. Discussion and Possible Action – Amendment No. 2 to Personal Services Agreement #04771 with Reid Middleton regarding Bayview Ridge Urban Growth Area.**

Mr. Christensen discussed an Amendment No. 2 to a Personal Services Agreement with Reid Middleton, Inc. regarding Urban Growth Area Subarea Planning and Development Work in the Bayview Ridge Urban Growth Area. He reported that to date this work is on time and under budget. He stated that the Department is now gearing up for Phase II and, given some of the constraints put upon Staff due to appeals before the Western Washington Growth Management Hearings Board (WWGMHB), it is necessary to seek further assistance and professional services from Reid Middleton, which has such expertise. He reviewed some of the work that would be performed in this expanded scope of work. Mr. Christensen stated that this amendment would add an additional \$15,000 to the contract, which would be paid from a combination of State Grant Funds and possibly some Skagit Council of Government funds.

Chairman Wolden confirmed that the grant monies were specifically earmarked for work to be performed relative to the Bayview Ridge Urban Growth Area.

Commissioner Hart moved to approve Amendment No. 2 to a Personal Services Agreement with Reid Middleton, Inc. regarding the Bayview Ridge Urban Growth Area. Commissioner Anderson seconded the motion, which passed unanimously. **(Contract No. 04771)**

### **3. Discussion – Skagit County Fire Protection District No. 12 Merger with District No. 2.**

Mr. Christensen reviewed a notice received from the Washington State Boundary Review Board for Skagit County regarding a proposal by Fire Protection District #12 to acquire responsibility for approximately 285 acres of Fire Protection District #2's service area. This proposal appears to be part of on-going discussions between the fire protection districts with regard to providing fire service to the Bayview Ridge Urban Growth Area. Mr. Christensen advised that the Department had been asked to provide comments, if any, by October 20th.

Commissioner Hart indicated that this proposal makes absolute sense as the area in question is closer to Fire District #2's fire station.

Commissioner Anderson concurred with Commissioner Hart's comments, and Chairman Wolden agreed that it is not necessary for the County to invoke the jurisdiction of the Washington State Boundary Review Board.

Carole Korelin, Planner for the Boundary Review Board, asked Mr. Christensen to put this information in a simple one-sentence letter to the Boundary Review Board.

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#### **4. Set Date and Time for Review and Possible Action on Planning Commission Recommendation on Remanded 1997 Comprehensive Plan Amendments.**

Mr. Christensen reported that it is necessary for the Board to review and consider Planning Commission recommendations on the remanded 1997 Comprehensive Plan Amendments.

Commissioner Anderson expressed concern that some of these items would conflict with recent appeals filed before the Western Washington Growth Management Hearings Board (WWGMHB).

Mr. Christensen advised that 16 separate appeals had been filed in five different categories, and that responding to these appeals will take an incredible amount of time. He reviewed the need to prioritize the appeals filed, and work within an existing budget to accomplish everything mandated by the WWGMHB. Mr. Christensen stated that the Department is trying to prioritize how to accomplish such tasks utilizing existing staff and resources. He advised the Board that they need to keep this in mind when such matters come before the Board.

A discussion ensued on the prioritization of such tasks in addition to review of remanded 1997 Comprehensive Plan Amendments and other tasks.

Jon Sitkin, an attorney representing area landowners, commented that the accelerated schedule of the WWGMHB was at the request of Gerald Steel, Friends of Skagit County, to accommodate his schedule for taking the bar examination. He stated that such acceleration would, of course, affect budget costs for 2000. He discussed briefly his motion to strike the accelerated schedule.

Tom Karsh, Director, indicated that the remanded 1997 Comprehensive Plan Amendments have already gone through the Planning Commission and are simply awaiting the Board's action.

After a brief discussion, it was decided to hear this matter on Monday, October 30, 2000, at 1:30 p.m.

#### **5. Set Date and Time for Review and Possible Action on Planning Commission Recommendation on County Capital Facilities Plan, 2001 – 2006.**

Mr. Christensen advised that the Planning Commission recently held a public hearing regarding the County Capital Facilities Plan for 2001 – 2006. He stated that the Planning Commission did not make any substantive changes to the plan as proposed. He further reported that this six-year plan can be modified every year as needed.

After a brief discussion, it was decided to hear this matter on Tuesday, October 24, 2000, at 8:30 a.m.

#### **6. Set Date and Time for Review and Possible Action on Pending 1997, 1998, 1999, and 2000 Petitions Requesting Amendments to the Comprehensive Plan.**

Mr. Christensen advised that these matters have not gone before the Planning Commission, nor has there been any staff preparation time expended. He indicated that Staff would like to bring to the Board detail regarding the pending 1997, 1998 and 1999 Comprehensive Plan Amendments, together with Year 2000 petitions received in July. He stated that the Department would like to lump these together to clean the slate with one annual amendment process to the Comprehensive Plan. He reported that such a review could identify those amendments that need to be addressed further and those that could be immediately denied without prejudice.

Commissioner Anderson asked that Staff bring forward a proposal as to how much staff time and process time would be necessary to process these amendments.

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Commissioner Wolden noted that the 1997 amendments had previously been reviewed and many were denied without prejudice. Now the Board is down to the ones left following the adoption of the original Comprehensive Plan on June 1, 1997, and then had until July 31 to appeal without cost. Consequently, if the Board denies those appeals, those requesting an amendment would be required to pay a \$1,000 fee to resubmit their proposed amendment. He commented that there are some of those proposed amendments that should be considered carefully.

Commissioner Hart added that the Board needs to look at each amendment and have Staff advise on timelines, budgets and other possible grant funding to help with considering and processing these.

Mr. Christensen reported that Staff had visited with the Planning Commission on their work program and they have come to the conclusion that the Planning Commission feels that it is important that some of these unresolved matters have some resolution. The Planning Commission is not excited about moving forward without having some of these appeal issues resolved.

A discussion ensued on the effects of HB 6094 on these amendments, together with other criteria that may have been adopted in this regard.

It was decided to consider these petitions on Wednesday, November 1, 2000, at 10:00 a.m.

**7. Miscellaneous.**

There were no miscellaneous Planning items for discussion.

**MISCELLANEOUS.**

Staff presented a Resolution to provide for the transfer of surplus computer equipment to the Burlington-Edison School District. After a brief discussion, Commissioner Anderson moved to approve the Resolution as presented, and Commissioner Hart seconded the motion. The motion passed with a unanimous vote. **(Resolution No. 18028)**

**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

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ATTEST:

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