

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
Tuesday, January 16, 2001**

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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. |
| 9:00 a.m. – 10:00 a.m. | Public Hearing – Proposed Formation of Skagit County Lake Management District No. 3 for Lakes Erie and Campbell. |
| 10:00 a.m. – 10:30 a.m. | CONSENT AGENDA & MISCELLANEOUS ITEMS. |
| *T 10:30 a.m. – 11:00 a.m. | Public Comment Period. |
| *T 11:00 a.m. – Noon | Public Hearing – To Consider Testimony on the Renewal of the Provisions of Ordinance No. 17945 adopting Town of Concrete Development Standards within the Unincorporated Portion of the Town's Urban Growth Area (UGA). |
| 1:30 p.m. – 3:30 p.m. | Executive Session – Personnel, Litigation and Land Acquisition. |

The Skagit County Board of Commissioners met in regular session on Tuesday, January 16, 2000, with Commissioners Ted W. Anderson, Kenneth A. Dahlstedt, and Don Munks present.

PUBLIC HEARING – PROPOSED FORMATION OF SKAGIT COUNTY LAKE MANAGEMENT DISTRICT NO. 3 FOR LAKES ERIE AND CAMPBELL.

Rich Boge, Surface Water Management, reviewed the history of and process for forming Lake Management District No. 3 for Lakes Erie and Campbell. He discussed the formation of the Citizen's Advisory Committee ("CAC") and the tax rate adopted, together with the progress made in 2000. He reported that on November 28 a public hearing was held to consider forming the district. However, prior to the ballots being mailed out the CAC requested delaying the vote to consider new information regarding inclusion of publicly owned property on these lakes. The CAC met in December and is now asking the Board to consider an amended resolution for formation of Lake Management District No. 3 based on this new information. He reviewed a breakdown of the monies to be collected.

Mr. Boge stated that the purpose of today's public hearing is to take comments or objections on the proposed formulation of the lake management district and to authorize the submission of ballots to the property owners. Ballots would be mailed out on Wednesday, January 17, and would be due back by February 7 at 4:30 p.m. Ballot results would be available on February 9. He stated that if the measure passes, an Ordinance would be signed to form Lake Management District No. 3, which would trigger a 40-day appeal process. If no appeals are forthcoming, a contract would be completed in March for treatment services on the lakes. In May, another public hearing would be held on the proposed tax roll.

Chairman Anderson opened the public hearing for testimony.

Bob Bell, 5916 Campbell Lake Road, stated that the \$30,000 to be raised seems insignificant to address the problems on the lakes. He specifically spoke to the fact that the majority of users on Lake Campbell are not residents and are not participating in a solution to the problem, even though they are major contributors to the problem. He reported that he has surveyed the parking lot several times and that only 10-30% of the vehicles have the required parking permit. He emphasized that the lakes are getting an

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undue amount of non-residents' use, which consequently contributes to the problem. He asked the Board to implore the State to institute license fees for boats wanting to use inland lakes.

Chairman Anderson responded that getting the State to contribute for their boat launches is a step in the right direction. He indicated that it may be time to look at licensing fees relevant to primary usage.

Mr. Bell urged the Board to apply leverage at the State level for transient users to pay their fair share.

Commissioner Munks stated that he had recently met with the Samish Tribe who expressed interest in working with the lake management district to possibly obtain additional funds to improve the condition of the lakes. He stated that the Tribe talked about something as simple as keeping a Sheriff's boat out on the lake permanently, and to partner with residents for improvements in safety and care of the lakes. He urged the CAC to talk with the Samish Tribe in this regard.

Commissioner Dahlstedt stated that it is important for this Board to be responsive to citizens, and thanked those in attendance for coming forward with their concerns.

Gilbert Moore, 12863 South Wildwood Lake, Anacortes, a Lake Erie property owner and a member of the CAC, read a letter to the editor he had sent to the Anacortes American clarifying his position in favor of the formation of Lake Management District No. 3.

Mr. Boge advised that he had received a letter regarding the formation of the lake management district from Dorothy Elveback.

Linda Earwood 13223 Hart Lake Road, expressed her support for the formation of the lake management district, but asked how do prevent such infestation in the future.

Chairman Anderson responded that education to those individuals transporting boats from one place to another is of utmost importance. He suggested working with Surface Water Management and the Commissioners' televising schedule. He discussed a public service video to assist in this regard, together with increased signage at the boat launches.

Mr. Boge added that there is a major educational component to the lake management formation, which also includes improved signage.

Mr. Bell stated that there is undue emphasis placed here on power boats, and that canoes, sailboats, rowboats, and trailers, are all capable of bringing this foreign matter into the lakes. He expressed the need to encompass everything that is put into the lake.

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

Commissioner Munks moved to approve a Resolution submitting the Question for Creating Skagit County Lake Management District No. 3 for Lakes Erie and Campbell. The motion was seconded by Commissioner Dahlstedt, and passed with a unanimous vote. **(Resolution No. 18144)**

CONSENT AGENDA.

Commissioner Munks moved to approve the Consent Agenda, items 1-19, for Tuesday, January 16, 2001. Commissioner Dahlstedt seconded the motion, which passed with a unanimous vote.

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COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Monday, January 8, 2001.
2. Record of the Proceedings for Tuesday, January 9, 2001.
3. Resolution Authorizing Appeal of Shoreline Master Program Guidelines Adopted by the Washington Department of Ecology on November 29, 2000. **(Resolution No. 18145)**
4. Joint Representation Agreement with Association of Washington Business and Perkins Coie L.L.P. regarding the Shoreline Master Program Guidelines Adopted by the Washington Department of Ecology on November 29, 2000. **(Contract No. 05172)**
5. Settlement Agreement among Skagit County, City of Anacortes, and Twin Bridge to resolve all present disputes among the parties and to afford Twin Bridge the opportunity to readily proceed with the Project. The County is obligated to approve the City's application for a \$300,000 grant from the County's Distressed County Public Facilities Fund. **(Contract No. 05173)**

PERSONNEL:

6. Resolution Amending Skagit County Personnel Policies and Procedures Manual regarding vacation leave as discussed with Personnel Director, Stephanie Wood. **(Resolution No. 18146)**

INFORMATION SERVICES:

7. Request for Proposals for a Prosecuting Attorney Case Management System, with the proposals due by 4:30 p.m. on February 16, 2001. **(Resolution No. 18147)**
8. Resolution Transferring Surplus Computer Equipment to Skagit Valley College. **(Resolution No. 18148)**

RECORDS MANAGEMENT:

9. Resolution Transferring Surplus County Equipment consisting of a 35mm microfilm camera to the Washington State Department of Imaging Services. **(Resolution No. 18149)**

PUBLIC DEFENDER:

10. Addendum No. 1 to contract with William H. Coleman, Ph.D., Licensed Psychologist, which attaches a new fee schedule for psychosexual forensics work ranging from \$950 for a comprehensive sexual deviancy or psychosexual evaluation to \$95 per hour for court/hearing appearance as an expert witness. **(Contract No. 03571)**

HEALTH DEPARTMENT:

11. Amendment No. 1 to Agreement with Monroe Entertainment adding \$407 to the contract compensation for a total maximum amount of \$14,921. **(Contract No. 04621)**
12. Agreement with the State of Washington Department of Health for the "Building Child Care Capacity for Children with Special Needs through Public Health Partnership" program for the period October 1, 2000 through June 30, 2001. The County will be paid \$20,000 in Federal funds for providing the services required under the contract. **(Contract No. 05174)**

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YOUTH & FAMILY SERVICES:

13. Addendum No. 1 to Personal Services Agreement with The Center, Inc. changing the effective date of the contract to July 1, 2000 from September 1, 2000. Compensation remains the same. **(Contract No. 05125)**
14. Addendum No. 2 to Personal Services Agreement with Northwest Care Advocates, Inc. adding a new Compensation "Exhibit B" to the contract. Hourly rates for therapists range from \$88 per hour for family therapy to \$20 per hour for travel. **(Contract No. 04949)**

PUBLIC WORKS:

15. Resolution to Establish County Road Project, Rainbow Bridge, No. 40039-2, to authorize funding for the preliminary engineering in the amount of \$35,000. This bridge will be painted in 2002 if Federal funds are secured. **(Resolution No. 18150)**
16. Resolution re: Request for Proposals for Procurement of Maintenance Materials, with the proposal opening scheduled for February 20, 2001, at 1:30 p.m. **(Resolution No. 18151)**
17. Resolution to Establish County Road Project – 2001 Asphalt Overlays on Farm-to-Market Road, No. 31010 (Site 1) and the following roads in the Town of Edison (Site 2): MacTaggart Avenue, No. 20020, Cains Court, No. 20030, Gilmore Avenue, No. 22400, and Main Avenue, No. 22390. **(Resolution No. 18152)**
18. Supplement No. 2 to Professional Services Agreement with Sumas Transport, Inc. extending the term of the agreement from December 31, 2000 to December 31, 2001. All other terms and conditions of the Agreement remain in force. **(Contract No. 03340)**
19. Vendor Services Agreement with Motor Trucks, Inc. to supply overhaul services to one M/V Guemes spare main engine. Compensation is set at \$14,755.31. The agreement is in effect from February 1, 2001 through December 31, 2001. **(Contract No. 05175)**

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, January 16, 2001, 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 87092 through 87240 from Clearing Fund 696 in the total dollar amount of \$3,301,198.17 (Transmittal No. C-02-01);

Warrants numbered 87241 through 87417 from Clearing Fund 696 in the total dollar amount of \$526,720.38 (Transmittal No. C-03-01);

Payroll warrants numbered 954377 through 954442 in the total dollar amount of \$71,357.49 (Transmittal No. P-1-01); and,

Payroll warrants numbered 66691 through 67526 in the total dollar amount of \$801,197.06 (Transmittal No. P-2-01).

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2. On behalf of the Sheriff's Office, Staff presented an Out-of-State Travel Request for Duane Neufeld to attend a Drug Interdiction Seminar in Vancouver, B.C., May 7 through 11, 2001, for a total amount of \$854. Commissioner Munks moved to approve the Out-of-State Travel Request as presented, and Commissioner Dahlstedt seconded the motion. The motion passed with a unanimous vote.

PUBLIC COMMENT PERIOD.

Howard Gulley, 15815 Yokeko Drive, Anacortes, reviewed with the Board the drainage problems affecting his property on the south end of Fidalgo Island. He reviewed a series of photographs and detailed the history of the problems, which began in the early 1990's. He reviewed the specifics of the projects that had been accomplished by the County Road Department in the area, and the resultant downed trees due to increased water runoff. He reviewed a copy of a letter that his neighbor, Mrs. Cheri Johnson, had sent to the Road Department and the Commissioners. He asked for increased communication with the property owners involved for their input and review. He stressed that the Board needs to receive all of the information when approving such projects.

Chairman Anderson indicated that there are legal responsibilities involving the use of road funds on only County right-of-way, not on private property. He suggested that the Drainage Utility be approached to assist with a solution to Mr. Gulley's recurring problems. He stressed the need for private/public partnerships in matters such as these so that everyone involved is kept informed.

Mr. Gulley stated that he was not willing to sign off on any proposed "fix" until he had seen the complete details.

Rosemarie Steinmates, 15185 Sunset Lane, discussed the problems inherent with the Salon Mexico on Memorial Highway. She reviewed that the owners had been denied a Dance Hall License by the County, and asked the Board to continue that denial to keep peace and quiet in her neighborhood. She stated that the business has recently operated and that building modifications have been made. Ms. Steinmates reviewed the problems of excessive noise and rowdiness at the location of Salon Mexico.

PUBLIC HEARING – TO CONSIDER TESTIMONY ON THE RENEWAL OF THE PROVISIONS OF ORDINANCE NO. 17945 ADOPTING TOWN OF CONCRETE DEVELOPMENT STANDARDS WITHIN THE UNINCORPORATED PORTION FO THE TOWN'S URBAN GROWTH AREA.

Gary Christensen, Assistant Director of the Planning & Permit Center, reviewed with the Board that this public hearing was scheduled to consider testimony regarding keeping in place an interim ordinance regarding the Town of Concrete's urban growth area and Concrete's Development Standards within the unincorporated portion of the Town's Urban Growth Area ("UGA"). He explained that Interim ordinances remain in effect for a period of up to six months, and the time has come for reconsideration as to whether or not the interim ordinance should be renewed and the provisions kept in place. Mr. Christensen advised that written correspondence had been received from Pat Hayden, attorney for the Town of Concrete and was made a part of the record. He further advised that the Department's recommendation is to keep in effect this interim ordinance.

Pat Hayden, attorney representing the Town of Concrete, reviewed the progress being made with the formation of an Interlocal Agreement between the Town and County, which sets forth the framework for development regulations within the UGA. He reported that the Town Council had approved in principle the contents of the Interlocal Agreement, with some minor fine-tuning of certain points. Mr. Hayden stated that the Town has gone through a 3-4 month review process, holding public hearings to consider the financial ramifications of extending a sewer line to the area. Consequently, he asked that the Board approve the interim ordinance as recommended by the Planning Department.

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

Mr. Christensen briefly reviewed findings that should be included in the interim ordinance if adopted by the Board.

Commissioner Munks moved to extend the Interim Ordinance No. 17945 for an additional six months as recommended by the Planning Department, together with findings as outlined by Mr. Christensen. Commissioner Dahlstedt seconded the motion, which passed unanimously. **(Resolution to be provided by Staff at a later date)**.

ADJOURNMENT.

Chairman Anderson made a motion to adjourn the proceedings. Commissioner Munks seconded the motion and it passed unanimously.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Ted W. Anderson, Chairman

Kenneth A. Dahlstedt, Commissioner

Don Munks, Commissioner

ATTEST:

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