

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
Tuesday, May 8, 2001**

9:45 a.m. – 10:00 a.m.	Public Comment Period.
*T 10:00 a.m. – 10:30 a.m.	Parks Projects Update.
10:30 a.m. – 11:00 a.m.	Facilities Projects Update.
11:00 a.m. – 11:30 a.m.	Decision – Appeal by Jim & Mary Mayhew of the Hearing Examiner's Decision approving Dike District No. 1's Application for a Special Use Permit to Construct a 60' x 40' Storage Building at 17917 Behrens-Millett Road (PL00-240).
11:30 a.m. – Noon	Decision – Franchise Renewal of Samish Farms Water Association.
1:30 p.m. – 2:00 p.m.	Bid Opening – Haul Out and Dry Dock of the Ferry MV Guemes.
2:00 p.m. – 3:00 p.m.	Work Session – Technology Update.

The Skagit County Board of Commissioners met in regular session on Tuesday, May 8, 2001, with Commissioners Ted W. Anderson, Don Munks and Kenneth A. Dahlstedt present.

PUBLIC COMMENT PERIOD.

Jamie Lanning, Highway 9, asked about the possibility of sidewalks being installed from Beaver Lake Road to Fox Road, among others. Chairman Anderson stated that this matter has been turned over to Public Works. Mr. Lanning indicated that he would contact Mr. Martin directly regarding this situation. Chairman Anderson discussed the State regulations when impervious surfaces are increased.

Howard Gulley, 1815 Yokeko Drive, Anacortes, asked about a possible review of the Critical Area Ordinance that had been promised.

Chairman Anderson responded that there are about 86 or 87 items on the Planning Department's work program that will be discussed within the next few weeks, and this is but one of those items. He suggested that Mr. Gulley attend such work sessions for further education on the process.

Tom Solberg, 19019 Minnie Road, Alger, spoke regarding the Alger Sub-Area Plan, reviewing the history of the submittal of the Sub-Area Plan to the Planning Department. He stated that it has been almost four years since the first request was submitted, and that the submittal followed the procedures listed in the Comprehensive Plan. He indicated that he would be submitting the Alger Sub-Area Plan once against this July for consideration.

PARKS PROJECTS UPDATE.

Bob Vaux, Parks Department Director, advised the Board that it has been traditional for the Parks Advisory Board to meet with the Commissioners in June to discuss projects and budget. He indicated that the Advisory Board has indicated that they would like to adhere to that tradition this year as well. Chairman Anderson concurred that a yearly meeting would be appropriate to discuss goals, and Commissioners Munks and Dahlstedt agreed. Mr. Vaux indicated that he would plan to have the Parks

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Advisory Board meet with the Commissioners at the next Parks Projects Update session scheduled for June 19.

Mr. Vaux also indicated that the annual tour of County Parks with the Board needs to be scheduled to give Staff the opportunity to show the Board the facilities and projects for a hands-on feel for the issues relating to same. Chairman Anderson stated that late July or August would work the best for the Board, and briefly discussed the itinerary for such a tour. Mr. Vaux stated that he would work with the the Commissioners' Staff to arrange for this tour.

Mr. Vaux next discussed the following projects:

1. Northern State Recreation Area. Surveys were mailed out yesterday; with one being sent to every single residence in the County, with a one-page questionnaire.

Patrik Dylan, Projects Manager, reviewed a newsletter that introduces people to the project, outlining the timeline, and encouraging people to be involved. He stated that the newsletter was mailed to 300 individuals and is also available on the website.

Mr. Dylan indicated that an open house would be scheduled on the Northern State property at the dairy barn. At that time, the results of the survey should be available, with a summary prepared. Chairman Anderson stated that it is important to emphasize that we are updating the comprehensive plan and not completely redoing it. Mr. Dylan indicated that there would be bus and walking tours of the sites to point out major geographic points of interest.

Mr. Dylan reviewed the project timeline, advising that everything is still on schedule.

Mr. Dylan stated that the cornerstone event would be the culmination of the design process that leads to a final plan and various alternatives. Governor Locke has been invited to be the keynote speaker at this event.

Upon query from Commissioner Dahlstedt, Mr. Dylan reviewed the areas of the project that are delineated as wetland areas. He stated that approximately one-third of the land has been delineated as a wetland.

2. Brickyard Creek at Northern State. Mr. Dylan next discussed the interest of Ducks Unlimited to improve an area along Brickyard Creek so that it would be more of a natural flow and provide habitat for ducks and fish. He stated that the Department is interested in a partnership with Ducks Unlimited in this regard, but have insisted that there not be any net loss of developable land. This item is currently in the preliminary discussion stage.
3. Howard Miller Ribbon Cutting/Open House. Mr. Dylan described the events for Saturday's work party and ribbon-cutting ceremonies. Mr. Vaux commented that great work has been accomplished at the Park under Scott Green's leadership.
4. Assistant Director Position. Mr. Vaux indicated that this job posting closes on May 16th.

A brief discussion ensued on the improvements made to the Grandy Lake campground with the hope of limiting indiscriminate use.

FACILITIES PROEJCTS UPDATE.

Roger Howard, Facilities Director, reviewed with the Board the following projects:

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1. City of Mount Vernon's Multi-Modal Station. Mr. Howard advised that the City has indicated that the County does not utilize existing lots as employees park in the City's free unlimited parking lots. He stated that the City also owns a strip of land along the guardrail east of the railroad tracks between Kincaid and Gates Streets that is free with unlimited parking time that is being used by County employees. If the City began a paid permit parking system in their lots today, it is believed our employee lots would be full and we would have a waiting list of at least 50.

Chairman Anderson commented that Mount Vernon may need to construct a parking garage to address the problem of parking for the Multi-Modal Station. City mandated parking requirements were briefly discussed, and the possible need for the County to obtain a variance on any future construction in this regard.

2. Parks & Recreation Maintenance Shop. Mr. Howard stated that Structures West Construction, Inc. had defaulted on the contract for this project. As a result and as provided in the contract documents, the Contractor's bonding company is responsible for completing the project. Mr. Howard is currently reviewing the County's options with legal counsel to determine the best course of action to recommend to the Board.
3. Remodel Work for Treasurer's Office. Mr. Howard reported that the work would be completed by the end of May, with a tentative move-in scheduled for June 15, 16 and 17.
4. 1st Floor Courthouse – Third Superior Courtroom. Mr. Howard indicated that the construction bid documents are 99% complete for this project. He briefly discussed the availability of funds for ADA improvements from a Community Development Block Grant.
5. East County Community Resource Center at Concrete. Mr. Howard stated that Leonard, Boudinot & Skodje, Inc. Engineers and Land Surveyors have completed the boundary survey of the project property. Prior to authorizing the Architect to begin work, a property topography survey must be completed and submitted with the Environmental Assessment to the State Department of Fish & Wildlife. This pertains to the surface water drainage system that exists adjacent to the site in the Concrete Senior Center parking lot and the project's site surface water drainage impact on this existing system. Mr. Howard has also communicated with Rich Philips, Concrete Fire Department, for execution of a Use Agreement for fire drill practice on the Philips property until the building is demolished.
6. Humane Society Property Lease. Mr. Howard stated that he had spoken with Sandy Nelson of the Humane Society regarding their concerns about the lease terms in reference to the improvements to the property and future ownership of the improvements if the lease is not renewed at the end of 10 years.

Mr. Howard stated that the Humane Society plans to build a \$300,000 to \$400,000 permanent structure on the site. The Humane Society has scheduled time before the Board on June 5 to discuss this matter.

7. Masonic Building. Mr. Howard reported that members of the Masonic Lodge no longer use the building except for continued removal of their personal property and furnishings. They would like to store some of their personal possessions in the building until they find a permanent home. The issue of liability was briefly discussed.
8. Skagit County Parks & Recreation Proposed Recreation Center. Mr. Howard indicated that in its currently form, Skagit County would not be able to participate in the construction of this Center as proposed by Mr. Michael Fohn. He stated that he would be meeting with Mr. Fohn next week to review other options.

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9. Performing Arts Center – Public Facilities District. Mr. Howard advised that he has been meeting with the Advisory Committing and Design and Feasibility Subcommittee to assist in this process.
10. Building Maintenance. Mr. Howard advised that Sharon Clark has been selected for the Lead Custodian/Staff Assistant position. He stated that Ms. Clark has been on the custodial staff for one year and should be a fine supervisor. He indicated that beginning May 14, 2001, the custodial staff will change their work shift to 3:00 p.m. to 10:30p.m., Monday through Friday, to allow staff more time in the departmental office areas for cleaning.
11. Jail Laundry/ Room/Kitchen Alterations. Mr. Howard reported that Sheriff Goodman has received a \$200,000 grant for increasing the jail inmate capacity and partially pay for the laundry and kitchen improvements. The Architect and Mechanical and Electrical Engineers are preparing design drawings.
12. Public Works Department Project – Road Oil Tank System Upgrade. Mr. Howard indicated that the construction of the new facility and demolition of the old facility is complete. The project was completed on time and slightly under budget due to the net difference in minor changes and additional work. He stated that Public Works may make some changes to the operating controls and will review these changes with the consultant.

Mr. Howard briefly reviewed several minor miscellaneous projects on his “to-do” list.

DECISION – APPEAL BY JIM & MARY MAYHEW OF THE HEARING EXAMINER’S DECISION APPROVING DIKE DISTRICT NO. 1’S APPLICATION FOR A SPECIAL USE PERMIT TO CONSTRUCT A 60’ X 40’ STORAGE BUILDING AT 17917 BEHRENS-MILLETT ROAD (PL00-240).

Chairman Anderson advised that this session was scheduled to render a decision in the above matter.

Commissioner Munks stated that after reviewing the testimony and files, he moved to uphold the Hearing Examiner’s Decision approving Dike District No. 1’s application for a Special Use Permit. Commissioner Dahlstedt seconded the motion.

Commissioner Dahlstedt indicated that the testimony had been carefully considered, and the difficulties and impacts to both sides were reviewed. However, legally the lot could have someone else build a structure on it without any public input.

Chairman Anderson reported that the deciding issue for him was the fact that the site was a certified lot of record and someone else could build a house at that exact location that would obstruct the view and have a larger impact. He concurred with Commissioner Dahlstedt’s comments.

Commissioner Munks stated that he had looked at the property, walked through it, and reviewed the record in detail. He expressed his empathy for the homeowners, but stated that the decision comes down to the legal obligations of the Board.

Upon call for the question, the motion was unanimously approved, and the Hearing Examiner’s decision was upheld. **(Resolution to be provided by Staff at a later date).**

MISCELLANEOUS.

1. Gary Christensen, Assistant Director of the Planning & Permit Center, reviewed recent discussions with the Board regarding the City of Burlington’s proposed annexation of the “Waldschmidt Acres” property. He reviewed the exact location of the subject property. He reported that the Board had wanted to enlarge the boundaries to include additional properties and

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the road. He expressed the need to invoke the jurisdiction of the Boundary Review Board by May 10 if this is the Board's continued desire.

Chairman Anderson indicated that it is his position that he does not want cities to go out into urban growth areas and pick and choose which parts they want to annex. He stated that ignoring inclusion of roads forces the County to be faced with continued maintenance costs. He emphasized that the cities need to annex along boundaries that are straight and not piecemeal their requested annexations.

Commissioner Munks concurred with Chairman Anderson's remarks.

Mr. Christensen clarified that the cities generally just come forward with the annexation proposals that the property owners have requested, without expanding to include other properties. He indicated that logical services areas needed to be created in conjunction with the Interlocal Agreements for urban growth areas that have been executed with the cities.

The Board indicated that they would, in fact, like to invoke the Boundary Review Board in this regard. Mr. Christensen stated that he would have a letter for the Board's signature this afternoon.

2. On behalf of the Public Works Department, Staff presented Supplemental Agreement No. 1 to a Professional Services Agreement with Moss Bay Group, which extends the original termination date of December 31, 2000 until June 30, 2001. Commissioner Munks moved to approve the supplement as presented, and Commissioner Dahlstedt seconded the motion. The motion passed with a unanimous vote. **(Contract No. 05034)**

DECISION – FRANCHISE RENEWAL OF SAMISH FARMS WATER ASSOCIATION.

Commissioner Dahlstedt moved to approve the Samish Farms Water Association franchise renewal agreement as outlined by the Skagit County Public Works Department. The motion was seconded by Commissioner Munks.

Commissioner Munks stated that this is merely an easement for the Water Association to utilize County roads. Other internal problems as presented during the public hearing are within the internal workings of the Samish Farms Water Association and the Board has no such jurisdiction.

Commissioner Dahlstedt commented that there were concerns raised, but that the Association seemed open to address them.

Upon call for the question, the motion was approved unanimously. **(Contract No. 05296)**

BID OPENING – HAUL OUT AND DRY DOCK OF THE FERRY MV GUEMES.

Commissioner Anderson was absent for this agenda item.

Steve Cox, Public Works Department ER&R Coordinator, opened the following bids:

Bellingham Bay Ship
201 Harris Avenue
Bellingham, WA
Bid Bond Enclosed
Bid: \$198,898

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1 Lake Union Dry Dock Company
1515 Fairview Avenue E
Seattle 98102
Bid Bond Enclosed
Bid Amount: \$230,425

Mr. Cox advised that he would return with his bid award recommendation as soon possible.

ADJOURNMENT.

Commissioner Dahlstedt 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