

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
Tuesday, June 26, 2001**

- 8:30 a.m. – 9:00 a.m.                      Work Session – Operation Division Manager/District Maintenance Supervisors.
- 9:00 a.m. – 10:00 a.m.                      Public Works Department – Chal Martin, Director
- 1)            Presentation: Special Award to Skagit County Sheriff's Department and Sergeant Bonnie Bowers by International 3-Flags Program
  - 2)            Signatures: Agreement and Resolution Revising the Corporate Boundary of the City of Mount Vernon Along a Portion of SR-538 Right-of-Way
  - 3)            Signature: Wiseman Creek Feasibility Study Grant Agreement 00-1735N with the Office of the Interagency Committee
  - 4)            Signature: Resolution Requesting Statement of Qualifications for Public Relations Specialist
  - 5)            Update: Initial Implementation of the Ag Land Stream Buffer Program
  - 6)            Signature: Cover Letter for the Report to the Legislature Regarding Initial Outcomes from the Pilot Program to Implement an Agricultural Riparian Buffer Plan
- 10:00 a.m. – 11:00 a.m.                      Planning & Permit Center – Tom Karsh, Director
- 1)            Establish a Date and Time for the Board of County Commissioners to Consider the Planning Commission's Recommendations on Year 2000 Comprehensive Plan Amendments
  - 2)            Review of and Possible Action on new Planning Commission By-Laws
  - 3)            Miscellaneous
- 11:00 a.m. – 12:00 p.m.                      Public Hearing – To Consider Testimony Regarding Dissolution of Sewer District No. 3

The Skagit County Board of Commissioners met in regular session on Tuesday, June 26, 2001, with Commissioners Ted W. Anderson and Don Munks present. Commissioner Kenneth A. Dahlstedt was excused.

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

1.)            **Presentation – Special Award to the Skagit County Sheriff's Department and Sergeant Bonnie Bowers by International 3-Flags Program**

Don McKeehen, Traffic Safety Coordinator, Public Works Department, explained the purpose of the awards being presented today. The recognition is from the International 3-Flags Program, a program designed to promote proper use of safety belts and child safety seats.

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Bill Carlisle, Washington Traffic Safety Commissioner, presented the first award to Sergeant Bonnie Bowers for her "Outstanding Individual Effort." The second award was given to Sheriff Ed Goodman on behalf of the entire Sheriff's Department for "Departmental Participation."

2.) **Signatures – Agreement and Resolution Revising the Corporate Boundary of the City of Mount Vernon Along a Portion of SR-538 Right-of-Way**

Steve Flude, County Engineer, Public Works Department, presented a Resolution providing for a revision of the Corporate Boundary of the City of Mount Vernon on State Route 538, as well as the Agreement for this change between the City of Mount Vernon and Skagit County.

Commissioner Munks motioned to approve the Resolution and Agreement revising the Corporate Boundary of the City of Mount Vernon along a portion of SR-538 Right-of-Way. Commissioner Anderson seconded the motion, which passed unanimously. **(Resolution No. 18287 and Contract No. 05345)**

3.) **Signature – Wiseman Creek Feasibility Study Grant Agreement 00-1735N with the Office of the Interagency Committee**

Dave Brookings, Public Works Administrator, presented to the Board for their approval and signature a Grant Agreement between the Washington State Salmon Recovery Funding Board (SRFB) and Skagit County awarding grant funds in the amount of \$74,800 for the Wiseman Creek Feasibility Study.

The study will determine alternatives for reducing the sediment load in Wiseman Creek and increasing fish habitat in the associated watershed. Skagit County will partner with the Skagit Fisheries Enhancement Group for portions of the study. Skagit County's portion of the study will focus on sediment transport and construction design related to upkeep and maintenance associated with the County road bridge at Minkler Road. The Skagit Fisheries Enhancement Group portion will focus on habitat issues associated with Wiseman Creek and its associated wetlands with an emphasis on the area south of the Minkler Road crossing. Total county obligation is \$13,200 or 15% of the total project cost of \$88,000.

Commissioner Anderson spoke about the tremendous impacts these projects have on the surrounding property owners. He stressed the importance of respecting private property.

Commissioner Munks moved to approve the Grant Agreement for \$74,800 with a \$13,200 local match obligation. Commissioner Anderson seconded the motion, which passed unanimously. **(Contract No. 05346)**

4.) **Signature – Resolution Requesting Statement of Qualifications for Public Relations Specialist**

Mr. Brookings then presented to the Board a Resolution requesting the publication of a Request for Statement of Qualifications for a Public Relations Specialist.

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Skagit County is experiencing a number of challenging activities with respect to land use and water management practices. Many Public Works Department activities rely on participation from the public. In order to facilitate public involvement, a Public Relations Specialist is desired to provide professional, timely and strategic contact with the public at large or targeted stakeholders. The Public Relations Specialist will assist in coordinating public meetings, and producing advertisements, educational materials, and marketing materials.

Commissioner Anderson said getting the public informed is a huge challenge for the County. Commissioner Munks spoke of the importance of getting feedback from the community. The public needs to know and understand what is happening.

Commissioner Munks moved to approve the Resolution authorizing the publication of a Request for Statement of Qualifications for a Public Relations Specialist. Commissioner Anderson seconded the motion, which passed with a unanimous vote. **(Resolution No. 18288)**

### 5.) Update – Initial Implementation of the Ag Land Stream Buffer Program

Chal Martin, Public Works Director, gave a brief update on the initial implementation of the Ag Buffer Program.

The Washington State Legislature appropriated \$1.5 million in 2000 specifically for a pilot program in Skagit County to implement an agricultural riparian buffer plan. A Block Grant Agreement was executed with the State Department of Community, Trade and Economic Development for these funds.

Mr. Martin said their department is ready to implement the Baseline Monitoring Program. New science is being built in Skagit County and it is not an easy task. Whatever is done needs to be accepted by the scientific community. The program calls for forty sites from which to pull samples. If the public would like to know more about the monitoring, they can contact the Public Works Department. He reported that the Scientific Advisory Panel has been functioning very well with the help of various County departments.

Chairman Anderson queried Mr. Martin about the ag buffers.

Mr. Martin indicated that it takes upwards of fifty years to establish buffers. Realistically, it would take between five and ten years before data could be compiled to prove what difference the buffers have made.

Chairman Anderson said there have been buffers on streams in timberlands for twenty years. He asked if anyone had ever done any monitoring to see if the buffers actually worked.

Mr. Martin said there had been monitoring but it didn't always include the same parameters. Similar work was done but it was dissimilar enough to warrant another study.

Chairman Anderson remarked that the salmon have continued to decline and he feels it has nothing to do with buffers. Buffers have been in place for over twenty years. Obviously there are other factors to consider.

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Mr. Martin then informed the Board about a survey that was sent to 500 people whose property had been identified as potentially eligible for the Ag Land Stream Buffer options in the Skagit County Critical Areas Ordinance. Only ten percent of those polled responded. At least half of those seemed interested in the Conservation and Reserve Enhancement Program (CREP). There was even less interest in the Managed Agriculture Riparian Plan (MARF), which is a County program. CREP is a lease program with a contract time of between ten and fifteen years. The Skagit Conservation District is the local representative for that program.

Chairman Anderson stated that he has never felt it should be the County's role to get into long term monitoring. Neither does he believe we have any responsibility due to the Endangered Species Act (ESA). The economy in farming is looking quite grim. With CREP, the compensation rate is very attractive. That is why farmers are embracing the program.

Commissioner Munks commented that the ag community is struggling just to break even and are taking terrific losses. "We were told the primary fix of wild salmon would be ag buffers". The ESA is only trying to protect those salmon that actually go up river to spawn. It's not an issue of salmon but of a specific type of salmon. "We now see Skagit County trying to do something about creating buffers". It has cost taxpayers hundreds of thousands of dollars to fight this issue. Foreign countries are taking the buffers away, feeding the fish and the numbers are overwhelming. The issue is not about habitat, but food for the fish. The bottom line is that a lot of money is being spent to go through the exercise, and it is very frustrating.

6.) **Signature – Cover Letter for the Report to the Legislature Regarding Initial Outcomes from the Pilot Program to Implement an Agricultural Riparian Buffer Plan**

Chal Martin, Director, presented for the Board's signature a cover letter for the report to the legislature regarding initial outcomes from the pilot program to implement an Agricultural Riparian Buffer Plan.

Commissioner Munks moved to approve the cover letter that will accompany the report for mailing. Chairman Anderson seconded the motion, which passed with a unanimous vote.

### **Miscellaneous**

- A. Rich Doenges, Director, Conservation Futures, presented the Board with a Conservation Easement that will protect existing key salmon habitat along House Slough, west of Concrete. It involves the Hurn property, which is used on one side by the Nooksack elk herd. The other side is timbered property formerly owned by Trillium Corporation. The Skagit Land Trust is the current owner.

Chairman Anderson said he thought the Skagit Land Trust purchased the property to preserve it. He asked if an easement is going to be purchased. If so, then where is the money coming from?

Mr. Doenges said the money is coming from fundraising and private donations.

Chairman Anderson says he would not expect Skagit Land Trust to be in the business of buying and selling property. Perhaps the land is really not protected.

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Mr. Doenges replied that because Skagit Land Trust owns the property, it does not preclude them from selling it.

Chairman Anderson stated that he was not going to sign the easement. If the Trust is buying land to hold in a natural state and turning around and selling it, they must be in the real estate market. He would like an explanation.

Mr. Doenges replied that he would have Skagit Land Trust set up a meeting with the Board to discuss this issue.

Commissioner Munks remarked how everyone talks about how land is being raped and over developed. Eighty percent of it is in reserve. "How can we be abusing it when we have no access to it". Every time land is put into trust it is removed from the County's tax rolls. When that occurs, the taxpayers have to bear the burden.

- B. Mr. Brookings presented to the Board Amendment No. 1 to Grant Agreement #G0000217 with the State of Washington Department of Ecology. The Agreement accomplishes activities that support the completion of a Flood Hazard Management Plan for the Skagit River. Mr. Brookings explained that this Amendment adds another \$107,000 to the State's share and another \$36,000 for the local match bringing the total project cost to \$443,000. He added that the grant from McElroy Slough is making Skagit County a pass-through agent for this. No County money is being spent.

Commissioner Munks moved to approve Amendment No. 1 to Grant Agreement #G0000217. Chairman Anderson seconded the motion, which passed with a unanimous vote. **(Contract No. 04763)**

- C. Mr. Brookings presented to the Board for approval, Grant Agreement No. G0100203 with the State of Washington Department of Ecology. The Agreement is for the acquisition of groundwater monitoring equipment necessary for implementation of appropriate sections of the McElroy Slough Monitoring Plan by the Skagit Fisheries Enhancement Group. The total eligible project costs are \$16,545 with the State Grant share being \$7,500 and the local share being \$9,045. The effective date of the Grant shall be June 1, 2001 and the project must be completed by June 30, 2001.

Commissioner Munks moved to approve Grant Agreement No. G0100203 as presented by Mr. Brookings, and Chairman Anderson seconded the motion. The motion passed with a unanimous vote. **(Contract No. 05347)**

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

- 1.) **Establish a Date and Time for the Board of County Commissioners to Consider the Planning Commission's Recommendations on Year 2000 Comprehensive Plan Amendments**

Kirk Johnson, Senior Planner, Planning Department, asked the Board to establish a date and time for the Planning Commission's recommendations on the Year 2000 Comprehensive Plan amendments.

The Board instructed Staff that they would consider formal approval of the recommendations on Tuesday, July 24, at 2:30 p.m.

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### 2.) Review of and Possible Action on New Planning Commission By-laws

Guy McNally, Associate Planner, Planning Department, reviewed the new Skagit County Planning Commission bylaws that were adopted on April 24, 2001. The new bylaws were adopted to be consistent with state and local regulations either existing or adopted since the original bylaws were adopted in 1961. Mr. McNally explained that they do not take effect until the Board has approved them.

Commissioner Munks made a motion to approve the new bylaws. Chairman Anderson seconded the motion and it passed unanimously. **(Resolution No. 18289)**

### 3.) Miscellaneous

A. Tom Karsh, Director of the Planning & Permit Center, brought before the Board Addendum No. 3 to an Agreement with Catapult Heavy Construction, Inc. Since 1999, the County has been administering a Community Development Block Grant Disaster Recovery Program. The State continues to grant money for this program as additional houses become available for purchase. Seven properties are being added to the Structure Location list in the Thunderbird Lane area. Total dollar amount of this Addendum is \$63,092.50.

Commissioner Munks moved to approve Addendum No. 3 with Catapult Heavy Construction, Inc. as presented by Mr. Karsh. Chairman Anderson seconded the motion. The motion passed with a unanimous vote. **(Contract No. 04457)**

### PUBLIC HEARING – TO CONSIDER TESTIMONY REGARDING DISSOLUTION OF SEWER DISTRICT NO. 3

Patti Chambers, Administrative Coordinator, Planning Department, reported that Sewer District No. 3 is inactive and needs to be dissolved prior to September 1, 2001. The Sewer District stands in the way of the Similk Beach project.

Ken Willis, Environmental Health Supervisor, Health Department, stated that the District was formed to solve sewer projects but has stagnated for several decades. The sewer Commissioners recently elected were elected on an anti non-sewer platform. They haven't done anything productive for some time. Mr. Willis said the Public Utility District (PUD) is the relief to those people who might need something done. If Sewer District No. 3 continues to exist, it would set up a potential conflict with PUD. This dissolution would eliminate that problem.

As no other testimony was forthcoming, Commission Munks moved to close the public hearing. Commissioner Munks then motioned to approve the Resolution dissolving Sewer District No. 3. Chairman Anderson seconded the motion, which passed unanimously.

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**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**

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Ted W. Anderson, Chairman

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Kenneth A. Dahlstedt, Commissioner

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Don Munks, Commissioner

ATTEST:

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JoAnne Giesbrecht, Clerk of the Board  
Skagit County Board of Commissioners