

**SKAGIT COUNTY COMMISSIONERS
RECORD OF THE PROCEEDINGS
Monday, August 27, 2001**

MONDAY, August 27, 2001

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| 9:00 a.m. – 9:30 a.m. | Work Session – County Administrator |
| 9:30 a.m. – 10:00 a.m. | Work Session – Commissioners’ Staff Meeting |
| 10:00 a.m. – 11:00 a.m. | Department Head Meeting |
| 11:00 a.m. – 11:30 a.m. | Consent Agenda and Miscellaneous Items |
| 11:45 a.m. – 12:00 p.m. | Public Comment Period |
| 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 Monday, August 27 with Commissioners Ted W. Anderson, Kenneth A. Dahlstedt and Don Munks present.

DEPARTMENT HEAD MEETING

Chairman Anderson opened the meeting, indicating that there were no specific agenda topics.

Commissioner Munks reported on a meeting he attended with Steve Flude and Tom Karsh last Thursday evening at Fidalgo School to discuss the Samish tribe proposal to build homes on 76 acres of buildable land at Lake Campbell. The Samish tribe was re-authorized about five years ago to be re-recognized as a tribe in the United States. Through money received from the Federal government, they purchased a piece of property at Lake Campbell with the intention of building homes on the property. It is also their intention to purchase property in various locations around Skagit County and, possibly, in Whatcom and San Juan Counties, to build about 150 homes. After the tribe completes their formal proposal, the County will prepare a Memorandum of Agreement addressing traffic, runoff impacts, sewage, etc.

Commissioner Munks emphasized that it is not the desire of the County to stop the Samish tribe from creating what is rightfully theirs, but to make sure they protect the environment and the rights of others who live in that area.

Sharon Dubois, Interim Risk Manager, indicated that another meeting has been scheduled for Thursday.

Commissioner Munks explained that another meeting is scheduled because of the number of questions received from the public. Part of the confusion has to do with the fact that the tribe doesn't yet know what they are going to do. They are actually thinking about a total of 26 homes, not the 150 indicated by the BIA. Once the lands are in the trust they can do whatever they wish, but they have indicated they are desirous of working with the County Planning Department to set standards so they do not need to establish their own planning department.

Ms. Dubois said she lives in that neighborhood and the biggest concern the residents there have is the impact on the neighborhood.

Mr. Karsh said they are proposing 16 homes, plus elderly housing, which is fairly consistent with the zoning. They will be removed from taxable status, although it is a fairly minor impact. The biggest concern is, once it becomes a trust, there is very little the County can say about it, whether they have 16 or 1600 homes. It is not possible to know what the guidelines will be until the tribe puts a proposal through.

Commissioner Anderson talked about previous problems with the development of Indian property. He said, until there is parity and fairness on these issues he would oppose every one of them. They are not subject to the County zoning and drainage ordinances.

Commissioner Dahlstedt agreed. He said he is very concerned about a marina and 300 acres of land turning into a development. The County has been committed to salmon preservation and he would expect that the tribes would lead by example.

There was further discussion about the proposed Swinomish project and also the proposed Samish project.

Peter Browning, Health Department Director, indicated that he attended a meeting the previous week where the tribe discussed how they would be handling sewage at the site.

Commissioner Dahlstedt advised that there would be a meeting at the Fredonia Grange Hall on Wednesday evening to inform citizens in the area about the proposed floodway. Comments, questions and concerns will be received from the public.

Commissioner Dahlstedt reported that the Public Facilities District has now been formed. They are looking for at least one more person to serve on the board. All of the cities, except Anacortes, have agreed to sign a Memorandum of Agreement that they will not form a Public Facilities District so the funding will be there to support the district.

CONSENT AGENDA

Commissioner Munks motioned to approve the Consent Agenda for Monday, August 27, 2001 items one through twelve and items 14 through 17 excluding item no. 13. Commissioner Dahlstedt seconded the motion, which passed unanimously.

COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Monday, August 20, 2001.
2. Record of the Proceedings for Tuesday, August 21, 2001.
3. Resolution Re-Appointing Tom Dillinger to the Skagit County Noxious Weed Control Board for the term August 1, 2001 through July 30, 2005. (**Resolution #18377**)
4. Resolution Re-Appointing Jim Hinton to the Skagit County Noxious Weed Control Board for the term August 1, 2001 through July 30, 2005. (**Resolution #18378**)

ADMINISTRATIVE SERVICES:

5. Addendum No. 2 to Contract with Larry Halvorson to extend the Scope of Work to include assistance with the negotiation of a labor agreement with the AFSCME Union. (**Contract # 04721**)

FACILITIES:

6. Resolution awarding the bid for the Skagit County Administration Building parking lot resurfacing to Knutson and Sons, Inc. of Bow, for the total bid price of \$129,546.50. (**Resolution No. #18379**)
7. Standard Form of Agreement with Ebenal General, Inc. for the remodel of the first floor courthouse building. The date of commencement will be the date of the 'notice to proceed' letter, with compensation not-to-exceed \$322,000. (**Contract #005425**)

PUBLIC WORKS DEPARTMENT:

8. Resolution amending Resolution No. 16964 modifying the amount of the Imprest Cash Fund for County Road Fund #117 from \$250 to \$450. The increased amount is necessary because of the increased ferry traffic and also because of the changes in cash handling procedures at the ferry. (**Resolution #18380**)
9. Resolution to call for public hearing to review written objections to the proposed special assessment roll, rates, and charges for Skagit County Lake Management District No. 3 for Lakes Erie and Campbell. (**Resolution No. 18381**)

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10. Resolution amending Resolution No. 18010 bid award to Washington Culvert Company, Inc. for fabrication and delivery of a corrugated metal pipe for installation in Aldon Creek. The Resolution will allow for the sales tax on the freight charge delivery on the material. The sales tax on the freight charge will increase the bid amount by \$232.96 for a total bid award of \$38,864.62. **(Resolution #18382)**
11. Summary of Offer for the Snee-oosh Point Drainage Improvement Project. The project will replace an existing 12-inch storm drainage system from Snee-oosh Road to Skagit Bay. The new system is a 36-inch diameter concrete storm sewer and includes a new gravity outlet to the bay. Currently, the only outlet is through a pump that is jointly operated and maintained by the Public Works Department and the Snee-oosh Land Company. The project is scheduled to begin construction in the summer of 2001. The summary covers four easement parcels required for the project with initial offers being made totaling \$10,336.00. **(Contract #005426)**
12. Resolution calling for bids for the Snee-oosh Point Drainage Improvement Project #WA402017. Bids will be opened September 24, 2001 at 11:45 a.m. **(Resolution #18383)**
13. Resolution awarding the bid for the Fredonia Business Park Street and Utility Development Project ES9700-9 to SRV Construction, Inc. in Oak Harbor, for the total bid price of \$1,071,185.64. **(Resolution #18384)**
14. Task Assignment #8 for Pentec Environmental to provide technical support for the Skagit River Flood Damage Reduction Feasibility Study. The Pentec Contract #05424 requires the Board of Commissioners to approve all task assignments. The maximum amount of this task assignment shall be \$16,937.80. **(Contract #005424)**
15. Resolution to approve the 2002-2007 Six-year Transportation Improvement Program. **(Resolution #18385)**
16. Supplemental Agreement No. 2 with Anatek Labs, Inc. for water sample analysis. The analytical services will be used to analyze water quality samples collected as part of the Baseline Monitoring Strategy for the County Agricultural Buffer Program. The expiration date of the Agreement shall be extended to August 30, 2002 to encompass a full year of baseline monitoring. Compensation shall be an additional \$28,000. **(Contract # 04441)**

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17. Right-of-Entry and Limited-Use Rental of Real Property Agreement with Albert M. and Mary M. Soldate, a landowner bordering the Fruitdale Road Drainage Improvement Project. Skagit County needs an area on the private property to stage surplus excavated material from the trench, etc. Compensation shall be \$1,000 a month with a three-month minimum and a six-month maximum time frame. **(Contract #005427)**

Commissioner motioned to approve item 13 on the Consent Agenda. Commissioner Dahlstedt abstained from voting due to a potential conflict of interest. Commissioner Anderson seconded the motion, which was carried.

MISCELLANEOUS ITEMS

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, August 27, 2001, the Board, by a majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

Junior district payroll warrants 955603 through 955694 in the amount of \$90,031.88
Skagit County Payroll Transmittal 81775 through 82972 in the total of \$1,100,760.53
Warrants 103262 through 103882 in the amount of \$1,215,059.84.

PUBLIC HEARING - COUNTY SURPLUS PROPERTY

Dub Queen, ER&R Coordinator, presented to the Commissioners a list of surplus items, including about 36 vehicles and miscellaneous office equipment that will be sold at auction on September 14 at 11:00 a.m. at the Burlington Road Department. He stated that a list of surplus items to be auctioned could be picked up at the Burlington Shop.

Commissioner Anderson opened the hearing for public comment. Since no one was present, Commissioner Munks motioned to close the public hearing. Commissioner Dahlstedt seconded the motion, which passed unanimously.

Commissioner Munks motioned to accept the list of County surplus property to be put out to auction September 14, 2001 at 11:00 a.m. at the Burlington Shop. Commissioner Dahlstedt seconded the motion, which passed unanimously. **(Resolution # 18388)**

PUBLIC COMMENT PERIOD

Carole Ehlers, 3998 Windcrest, Anacortes talked about the transfer stations, stating that this is one of the best services the County provides.

She then talked about a mandate for an ordinance on toxic waste. She stated that a conference is being held August 28 in Seattle to explain the new cleanup regulations and how they are to be implemented. The State of Washington is taking the lead in the U.S.

Ms. Ehlers then discussed some of the problems with the Public Development Committee looking at development in the short term and also the need for more clarity in terms of the vocabulary used in the development regulations.

After further discussion with the Commissioners the public comment period concluded.

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:

Jean Terry, Acting Clerk of the Board
Skagit County Board of Commissioners