

**SKAGIT COUNTY COMMISSIONERS
RECORD OF THE PROCEEDINGS
TUESDAY, OCTOBER 2, 2001**

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. Public Works Department – Chal Martin, Director:

1. Discussion/Signature – Easement Agreement.
2. Discussion/Signature – Resolution to Authorize Skagit County Public Works Department to Enter into a Permit with Washington State Department of Transportation to Allow Entry and Work in Skagit County Right-of-Way in Order to Install and Maintain Signalization Equipment and Signage.
3. Discussion/Signature – Resolution Calling for Public Hearing Regarding Lease of County Property at the Ovenell Transfer Station.
4. Presentation – 2000 Annual Bridge Report.
5. Miscellaneous.

***T** 10:00 a.m. – 11:00 a.m. Planning & Permit Center – Tom Karsh, Director:

1. Consideration/Possible Action – Initiating Plan Amendment Review Recommendations Regarding the 2001 Comprehensive Plan Amendment Proposals.
2. Signature – Request for Statement of Qualifications for Community Planning and Growth Management Services for the Professional Services Consultant List.
3. Set a Date for a Public Hearing to Take Comments on Proposed Amendments to Section 14.24.130 of the Critical Area Ordinance, Previously Called the “Strategic Plan for Protecting Wild Salmonids” and Currently Proposed to be Called “Enhancement Actions and Programs” Based on no Recommendation Being Forwarded by the Planning Commission.
4. Miscellaneous.

- *T 11:00 a.m. – 12:00 p.m. Work Session – Clarification of 1996 Memorandum of Agreement Regarding Utilization of Skagit River Basin Water Resources for In-Stream and Out-of-Stream Purposes. **(This work session was cancelled and rescheduled for Tuesday, October 30, 2001 @ 1:30 p.m.)**

The Skagit County Board of Commissioners met in regular session on Tuesday, October 2, 2001, with Commissioners Ted W. Anderson, Don Munks and Kenneth A. Dahlstedt present.

PUBLIC WORKS DEPARTMENT, Chal Martin, Director

1. **Discussion/Signature – Easement Agreement.**

Chal Martin, Public Works Director, presented an Easement Agreement for the Board's consideration for the Richard Johnson proposed subdivision. An ingress, egress and utility easement is being requested for access to a portion of Mr. Johnson's property that is being subdivided. The easement is through County owned property adjacent to Bassett Road that adjoins his property. The proposed subdivision is located within the City of Sedro Woolley city limits.

Commissioner Munks motioned to approve the Agreement and Commissioner Dahlstedt seconded, which passed unanimously. **(Contract No. 05466)**

2. **Discussion/Signature – Resolution to Authorize Skagit County Public Works Department of Transportation to Allow Entry and Work in Skagit County Right-of-Way in Order to Install and Maintain Signalization Equipment and Signage**

Steve Flude, Assistant Public Works Director, presented a Resolution which would authorize the Skagit County Public Works Department to enter into a permit with the Washington State Department of Transportation to allow entry and work in Skagit County right-of-way in order to install and maintain signalization equipment and signage. The duration of the permit is five years unless terminated by either party upon thirty days written notice.

Commissioner Munks motioned to approve the Resolution and Commissioner Dahlstedt seconded, which passed unanimously. **(Resolution No. 18445)**

3. **Discussion/Signature – Resolution Calling for Public Hearing Regarding Lease of County Property at the Ovenell Transfer Station**

Dave Brookings, Public Works Administrator, explained that pursuant to a request from an interested party and in accordance with R.C.W. 36.34.150-200, the Public Works Department is recommending that a Public Hearing be scheduled on October 23, 2001 at 11:00 a.m. for the purpose of considering proposals and determining the public interest related to the leasing of the approximately two acres of land adjacent to the Skagit County Transfer Station for the purpose of construction and long-term operation of an electrical generating power plant.

Chairman Anderson questioned the \$282,000 being charged per annum for two acres of land.

Mr. Martin said he understood it was the intent of the Board to generate revenue from leasing the property.

Chairman Anderson said it is their intent, however, the County needs to find an interested party at a substantially lower lease rate. At such time as the party begins making money, then perhaps the County will take another look at the rate.

Mr. Brookings said the dollar amount on the 'Detail Sheet' for the Proposal for Lease of County Property at the Ovenell Transfer Station will be refigured.

Commissioner Munks motioned to approve a Resolution to approve a Public Hearing to consider lease of County property at the Ovenell Transfer Station. Commissioner Dahlstedt seconded the motion, which passed unanimously. **(Resolution No. 18446)**

4. **Presentation – 2000 Annual Bridge Report**

Steve Flude, Assistant Public Works Director, gave the Board an update on the Public Works 2000 Annual Bridge Report. WAC 136-20-060 requires that the County Engineer submit a yearly report on the condition of the County's bridges. The report is to include a written resume of the finding of the bridge inspection effort and recommendations for the replacement, repair or load restrictions for deficient bridges.

A copy of the report will be filed with the County Road Administration Board, as per WAC requirements.

5. **Miscellaneous**

No items were presented.

PLANNING & PERMIT CENTER, Tom Karsh, Director

1. **Consideration/Possible Action – Initiating Plan Amendment Review Recommendations Regarding the 2001 Comprehensive Plan Amendment Proposals**

Gary Christensen, Assistant Planning Director, presented the Report and Document Recommendation on 2001 Comprehensive Plan Amendment (CPA). He indicated that the report outlines the Department's initial recommendations regarding the proposed CPA's. It also discusses certain issues relevant to them, followed by a summary of each proposal and the Department's recommendations for each.

The Department's initial recommendations are based primarily on procedural or technical considerations, and not on the substantive merits of a particular proposal. At this stage, the Department considers whether the proposed amendments conform to the County's overall work program obligations and GMA implementation strategy, based on continuing discussions with the Board of County Commissioners regarding the commitments.

If approved for further consideration by the Board, an amendment proposal will then undergo full public and agency review of the substantive merits, Planning Commission public hearings and final recommendation. Applications not approved for further consideration are not reviewed any further.

This year's proposed CPA's include some proposed by the County, and fifteen others proposed by various citizens, organizations or cities. The County-initiated CPA's were developed in consultation with the Board during a public meeting on July 24, 2001, based on the County's current obligations under the Growth Management Act, various Growth Management Hearings Board orders, and other matters identified by the Board as warranting consideration under the 2001 CPA process.

On September 4, 2001, the Department presented a summary list to the Board of all the County and non-County applications that were received by this year's deadline. These applications are now the subject of this report and recommendation.

Commissioner Dahlstedt said he has read over all of the items and has concerns regarding some of them. He feels the public needs to be made aware of the CPA's and should be able to voice their concerns.

Commissioner Munks stated that one of the driving forces behind him running for public office was due to the frustration of not being heard as a private citizen. He feels it is necessary for the public process to be followed.

Commissioner Munks motioned to forward all eighteen items to the Planning Commission for further consideration. Commissioner Dahlstedt seconded the motion, which passed unanimously.

Commissioner Munks asked about the Waste Management, Inc. issue. There have been a lot of questions regarding this proposal and answers have never been given. He asked if there was a time-frame locked into the proposal that would mandate a decision be made today or is it a proposal that could be delayed for a couple of weeks in order to obtain the answers to the questions that have been raised.

Mr. Christensen said the way the comprehensive plan reads and the unified development code is that unclassified special uses for which the Waste Management proposal is defined or classified are to be considered concurrently with the comp plan amendment petitions that are submitted during a calendar year. The department is to prepare a report and recommendation within 45 days of the last business day in July and the Board has fifteen days after that to make a decision as to which proposals they would like to move forward on.

Mr. Christensen said the Board needs to take action on whether to proceed with the Waste Management Unclassified Special Use proposal today unless there are some legal issues the Board feels are unresolved.

Chairman Anderson said there are issues that are of a legal nature. He will be out of the office until October 15, 2001 and wanted an opportunity to have the legal issues resolved before the Board makes their decision.

John Moffat, Prosecuting Attorney, explained to the Board that an unclassified use application is to be processed the same as a comprehensive plan amendment. The 15 day period for making a decision on whether to go forward and refer everything to the Planning Commission needs to be made on this application, just like any other. The decision needs to be made today.

Commissioner Dahlstedt recused himself from voting on the issue.

Commissioner Munks moved to approve for further consideration to the Planning Commission the Waste Management, Inc. proposal so that they are able to take a look at all of the other items that go with the proposal. Chairman Anderson seconded the motion, which passed unanimously.

2. **Signature – Request for Statement of Qualifications for Community Planning and Growth Management Services for the Professional Services Consultant List**

The Skagit County Planning and Permit Center would like to compile a list of qualified consultants who could work with staff on future projects. The list would help the Department meet the work priorities established by the Board of County Commissioners. The need to contract with private consultants has been discussed previously with the Commissioners and is reflected in the Department's submitted fiscal budget for 2002.

The Request for Statement of Qualifications identifies those professional services Skagit County Planning and Permit Center may require in the next year and establishes a Professional Services Consultant List. Once Statements of Qualifications have been received, Community Planning will keep them for use on an as-needed basis. When professional services are required, the list will be examined and the most qualified firm selected will enter into negotiations for a contract for the proposed work. Any Professional Services Contract will be brought before the Commissioners for review and approval.

There is no cost or obligation incurred by Skagit County in establishing the Professional Services Consultant List. Additionally, the list will be available to all departments requiring these services.

Commissioner Munks moved to approve the Resolution for Request For Statement of Qualifications Community Planning and Growth Management Professional Services Consultant List. Commissioner Dahlstedt seconded the motion and it passed unanimously. **(Resolution No. 18447)**

3. **Set a Date for a Public Hearing to Take Comments on Proposed Amendments to Section 14.24.130 of the Critical Area Ordinance, Previously Called the "Strategic Plan for Protecting Wild Salmonids" and Currently Proposed to be Called "Enhancement Actions and Programs" Based on no Recommendation Being Forwarded by the Planning Commission.**

Patti Chambers, Administrative Coordinator for the Planning & Permit Center, stated that no recommendation was received from the Planning Commission on the proposed amendments.

Commissioner Munks motioned to hold a public hearing on October 23, 2001 at 2:00 p.m. to take comments on Proposed Amendments to Section 14.24.130 of the Critical Area Ordinance, Previously Called the "Strategic Plan for Protecting Wild Salmonids" and Currently Proposed to be Called "Enhancement Actions and Programs" Based on no Recommendation Being Forwarded by the Planning Commission. Commissioner Dahlstedt seconded the motion, which passed unanimously.

4. **Miscellaneous**

Mr. Christensen presented a draft Resolution which would appoint a Citizen's Advisory Committee to assist the County in preparation of a Comprehensive Plan Amendment for the Similk Beach limited areas of more intensive rural development (LAMIRD). The County is proposing to address public health issues at Similk Beach and evidence has been obtained which show that many of the individual septic systems are either failing or have failed which poses water problems.

This will be on a specific department's formalized agenda in the near future.

**WORK SESSION – CLARIFICATION OF 1996 MEMORANDUM OF
AGREEMENT REGARDING UTILIZATION OF SKAGIT RIVER BASIN
WATER RESOURCES FOR IN-STREAM AND OUT-OF-STREAM
PURPOSES – (This meeting was cancelled and has been rescheduled for
Tuesday, October 30, 2001 at 1:30 p.m.)**

ADJOURNMENT

Commissioner Munks motioned to adjourn the proceedings. Commissioner Dahlstedt seconded the motion, which passed unanimously.

**BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Ted W. Anderson, Chairman

Kenneth A. Dahlstedt, Commissioner

Don Munks, Commissioner

ATTEST:

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