

**SKAGIT COUNTY COMMISSIONERS
RECORD OF THE PROCEEDINGS
TUESDAY, OCTOBER 16, 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. Update – Initial Implementation of the Ag Land Stream Buffer Program
 2. Signature – Proclamation “Flood Awareness Week”, October 29 – November 2, 2001.
 3. Personal Services Agreement - EnviroIssues
 4. Miscellaneous.
- *T 10:00 a.m. – 11:00 a.m. Planning & Permit Center – Tom Karsh, Director:
1. Discussion/Possible Action – Skagit County Clean Water District-Edison Subarea 2002 Assessments Budget
 2. Discussion – Draft of Revised Sign Code
 3. Discussion – Next Step required in Comprehensive Plan Amendment Process 4.
 4. Discussion/Possible Action – Resolution regarding 2001 Comprehensive Plan Amendments
 5. Discussion/Possible Action – Resolution regarding the proposed application for an Unclassified Use Permit by Waste Management of America
 6. Miscellaneous
- 11:15 a.m. – 11:45 a.m. Budget Work Session – Humane Society
- 1:30 p.m. – 4:30 p.m. Budget Work Session

The Skagit County Board of Commissioners met in regular session on Tuesday, October 16, 2001, with Commissioners Ted W. Anderson, Don Munks and Kenneth A. Dahlstedt present.

PUBLIC WORKS DEPARTMENT – Chal Martin, Director

1. **Update – Initial Implementation of the Ag Land Stream Buffer Program**

Ric Boge, Natural Resources Manager, Public Works Department, gave an update on the status of initial implementation of the Ag Buffer Program. He said there have been approximately 100 inquiries in the last month. In order to be eligible for the County funded CREP signing bonus, application must be made by November 7, 2001. November 27, 2001 is the deadline for selecting an option, otherwise applicants are subject to the standard riparian buffer requirement of 200 feet.

Chairman Anderson advised that when he and Skagit County Administrator Roy Atwood were in Washington, D.C. last week they were able to speak with Senators Cantwell and Murray, Congressman Rick Larson and Senator Jennifer Dunn about the buffer program. Their intent is to lobby Washington State Governor Gary Locke to allow more flexibility relating to the 125 foot buffer. Chairman Anderson said the landowners are weary of signing up because of the width of the buffers. He said he believes the lobbying effort would be a move in the right direction.

Mr. Boge said the issue of CREP availability to agricultural land owners as of November 28, 2001 is in question. The Farm Services Agency advises that CREP will not be an option after the deadline as it is not

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recognized as an eligible activity. The only exception would be if the land was already classified as agricultural property.

Chairman Anderson remarked that he was assured the CREP program would be available after the November 27th deadline.

Commissioner Munks said, in order to protect their rights, he would encourage citizens to sign up for some type of program.

Mr. Boge said his department would be sending out another survey and questionnaire to the affected property owners late next week. Two items included in the mailing are: a list of FAQ regarding the buffer program to help clarify important points and correct misinformation; and, an insert from FSA confirming that CREP will no longer be available in Skagit County effective November 28, 2001. The reason for this is because as of that date farming is no longer allowed in riparian areas and FSA can only implement CREP where farming is an allowed activity.

2. Signature – Proclamation “Flood Awareness Week”, October 29-November 2, 2001

Dave Brookings, Public Works Administrator, presented a Proclamation to the Board recognizing October 29-November 2, 2001 as “Flood Awareness Week”. He provided a proposed list of events that will be scheduled during this week. They are as follows:

1. Coordination meetings with the local Dike Districts, Department of Emergency Management, Cities, and other agencies.
2. Meeting with the U.S. Army Corps of Engineers.
3. Flood Preparation insert in the Skagit Valley Herald.
4. Flood Fight Team Training.

A sandbag training exercise at Dike District #12 for local area high school students will be scheduled for November 2, 2001.

Mr. Brookings said that scheduled activities aim at preparing Public Works staff for flood fight operation in the case of a flood event. There will be a series of training exercises for County flood fight team members. The week’s events will also provide educational information to the public regarding actions that can be taken by citizens to help reduce flood damage.

Commissioner Munks motioned to declare October 29, 2001 through November 2, 2001 Flood Awareness Week. Commissioner Dahlstedt seconded the motion, which passed unanimously.

3. Personal Services Agreement – EnviroIssues

Mr. Brookings presented a Personal Services Agreement with EnviroIssues to provide assistance in the development of educational materials informing the public about Public Works projects, such as the Skagit River Flood Damage Reduction Feasibility Study, Flood Awareness Week, and the Ag Buffer Program.

Tasks Include:

- Assist the department in developing and implementing public involvement plans.
- Assist the department with public meetings and prepare visual aids to help communicate information at public meetings.
- Assist the department in developing an effective media strategy by working with local newspapers, television stations, and radio stations to disseminate information and publicize public meetings and events.
- Assist the department in the development of a Web page to provide current information regarding the status of projects and assist Public Works staff in Web page maintenance and updates.

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The Contract shall not exceed \$150,000 and shall commence on October 1, 2001 and continue until December 31, 2003.

Chairman Anderson said he is concerned about the contract end date of December 31, 2003. He feels that because the County is in the process of hiring a Communications Officer, the services of EnviroIssues may not be needed for such a long term.

Mr. Brookings assured Chairman Anderson that the Contract could be terminated with thirty days written notice. He added that the liaison hired by the County would probably need the resources of EnviroIssues.

Chairman Anderson said he would like to see "County Commissioners" added in Exhibit A under "Scope of Work".

Commissioner Munks motioned to approve the Contract with EnviroIssues with the removal of County Engineer and the addition of County Commissioners' in Exhibit A, Scope of Work. Commissioner Dahlstedt seconded the motion, which passed unanimously. **(Contract No. 05481)**

4. **Miscellaneous**

A. Mr. Brookings told the Board that a meeting was held in Concrete about the Flood Mitigation Grant that Public Works is applying for. The grant money would be used for purchasing homes at risk of flooding. There has been a lot of interest in the program. Mr. Brookings has assumed this responsibility because of the departure of former County employee Corey Schmidt of the Planning Department.

B. Steve Flude, Assistant Public Works Director, presented an update on the Guemes Ferry Parking Lot. Paperwork was submitted to FHWA for permission to tear down the Apex Fish Warehouse building. FHWA responded that they believe the building should not be torn down and suggested the County purchase other property in the same vicinity for the parking lot.

Luis Ponce, Design/Construction Engineer, Public Works Department, compiled figures for costs associated with the building. The total costs are between \$500,000 and \$600,000. They do not include additional property the FHWA would like Public Works to purchase.

Mr. Flude said he and Public Works Department Director Chal Martin have been trying to decide whether to make application for the return of federal money.

Chairman Anderson said he has seen detailed photos of the building and has received a synopsis of what has happened so far with this project. He feels it would be beneficial to obtain the support of Congressman Rick Larsen for the project. He would like to see Public Works give it another try. He said that the County is not without resources and he sees this as a project that is needed at that location.

Commissioner Munks commented that the County does not plan on purchasing additional property for the parking lot. Federal and State government representatives should make a site visit to prove to them the insignificance of the Apex Fish Warehouse. He remarked that the City of Anacortes has been nothing but accommodating and he will obtain a letter from them supporting the demolition of the building.

PLANNING & PERMIT CENTER, Tom Karsh, Director

1. **Discussion/Possible Action – Skagit County Clean Water District – Edison Subarea 2002 Assessments Budget**

Alison Mohns, Environmental Health Specialist, discussed the need for a Public Hearing to accept comments on the proposed rate change for Edison Sub-Area Clean Water District 2002 Budget. A resolution would be prepared for the Commissioners' signatures to formally adopt the rate changes.

Ms. Mohns reviewed some of the highlights of the project, emphasizing the cooperation and voluntary efforts that have gone into the project. The Edison Sub-area has worked tirelessly to correct the sewage and water quality problems in that area. The effort has not been without frustration. The Edison Sub-Area Town Board is very concerned that daily operations flow smoothly in the last phases and in the on-going maintenance.

Ms. Mohns reported that two weeks ago the Edison Sub-Area Town Board met to discuss funding options and the operating budget for the year 2002. After extensive discussion and public comment, the Board unanimously voted to support, for all customer classes, an increase of 30%. The total dollar amount for the assessment is \$33,618.

Commissioner Munks motioned to approve a Public Hearing to consider comments on the proposed rate changes for the Edison Sub-Area Clean Water District 2002 budget. Commissioner Dahlstedt seconded the motion, which passed with a unanimous vote.

The Public Hearing will be held on Tuesday, November 6, 2001 at 10:30 a.m. in the Commissioners hearing room.

2. **Discussion – Draft of Revised Sign Code**

Linda Kuller, Senior Planner, presented the board with a copy of the recent Board findings related to the remand of the sign code back to the Planning Commission, and a revised version of the sign code.

All three Commissioners praised Ms. Kuller for her hard work and dedication in preparing the sign code revision. She addressed every issue that was brought forward and made changes that were reasonable and that also protected property owners.

Chairman Anderson expressed concern about SCC 14.16.820, Paragraph D. It states: "Sign plans shall provide a description (size, design and illumination) and location of other signs within 1,000 feet of the proposed sign." He said he would like to see that section revised, as he feels it would be an unjustified burden placed on the property owners to comply with this section as it now reads. Chairman Anderson said the sign plans should include a listing of the number of signs already in that particular area.

3. **Discussion – Next Step required in Comprehensive Plan Amendment Process**

Guy. McNally, Associate Planner, Planning & Permit Center, explained that upon initial approval and remand by the Board, all applications must now undergo further review by the County, other agencies and the public under the State Environmental Policy Act (SEPA), the Skagit County Comprehensive Plan, and Skagit County Code. The first step in the process requires all applicants, unless specifically exempt, to submit a non-project SEPA environmental checklist and a \$200 SEPA checklist review fee. Upon receipt of all required checklists and fees, the County is required to make a threshold determination. If, as a result of the threshold determination process, a Determination of Significance is issued and an Environmental Impact Statement is required, additional costs relating to SEPA review of individual site-specific amendment proposals may be charged to the individual applicants as part of a major development fee.

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Additional costs for review not relating to SEPA will continue to be charged to the applicant's initial application fee of \$500, and if such review exceeds 10 hours of staff time, the applicant(s) will be billed at the rate of \$50 per hour, as indicated in the Department's Fee Schedule set by Resolution No. 16819. Currently, the cost of initial review is approximately \$298.00 for each application, which reflects an even apportionment of expenses among all applications, including the County's. As substantive review commences, the cost of review may be different for each application depending on the level of review required and the issues involved.

Mr. McNally said, as indicated in the Department's Report and Recommendation, certain procedural and legal issues may present an impediment to timely review of these applications. The facts and circumstances in the Report remain the same. Given that the issues involved with some of the CPA requests may take longer than others to resolve, and given that these 2001 CPAs are required to be considered together so that the cumulative impacts of the various proposals may be known, a delay caused by one or more will delay resolution of the entire package of proposals.

4. Discussion/Possible Action – Resolution regarding 2001 Comprehensive Plan Amendments

Mr. McNally presented a resolution for the approval of the board to further review certain 2001 applications to amend the Comprehensive Plan and/or map and remanding the applications to the Planning Agency for a report and recommendation. It has been entered into the Resolution that the applications submitted by Don Clark and Vendovi Island, LLC have been changed. The Resolution states, "WHEREAS, pursuant to Ordinance No. 17938, paragraph (e), application fees are waived for Don Clark, as Don Clark has submitted an application (Application No PL01-0608) to amend the Comprehensive Plan/Zoning Map to redesignate the Clark's Skagit River Resort properties to Master Planned Resort; and WHEREAS, pursuant to SCC 14.08.040, as proposed policy amendment (non site-specific), Vendovi Island, LLC (Application No. PL01-0613) is exempt from the requirement to submit an environmental checklist and costs for SEPA review relating to individual site-specific amendments. Mr. McNally asked the Board if they would like to appoint a Citizen's Advisory Committee to take a further look at the applications.

Chairman Anderson said it was his understanding that the Planning Commission would act as advisors. He is confident that the Planning Commission has broad representation and follows the public process of holding public hearings to consider testimony.

Commissioner Munks motioned to approve the Resolution for further review and Commissioner Dahlstedt seconded the motion, which passed unanimously. **(Resolution No. 18465)**

5. Discussion/Possible Action – Resolution regarding the proposed application for an Unclassified Use Permit by Waste Management of America

Mr. McNally presented a Resolution for the approval of the board to further review PL01-0558, the Waste Management of Washington Unclassified Use permit application, as considered during the 2001 Comprehensive Plan amendment Process and Remanding this Application to the Planning Agency for a Report and Recommendation.

Commissioner Munks motioned to approve the above stated resolution. Chairman Anderson seconded the motion, which was carried. **(Resolution No. 18466)**

Commissioner Dahlstedt recused himself from voting due to family interest regarding the proposed application.

6. Miscellaneous

- A. Tom Karsh, Planning & Permit Center Director, informed the Board of a Public Hearing, which is scheduled for October 29, 2001 at 6:30 p.m. in Hearing Room C. The Planning

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Department Task List for 2002 will be the topic of discussion. A Public Notice will be printed in the Skagit Valley Herald, which will describe the tasks. Hard copies will also be available at the Planning & Permit Center.

Chairman Anderson asked Mr. Karsh to call KAPS, KKKI, and KBRC to ask that they make a couple of announcements on the air. .

- B. Mr. Karsh advised the Board that the Federal Emergency Management Agency (FEMA) is in Skagit County doing a community service visit. They will be conducting an audit to make sure the County is in compliance with FEMA rules and regulations. The audits occur once every five years, with an overall community rating given upon completion. The rating scale ranges from 1 – 10, with 10 being the lowest rating. Skagit County is rated No. 7, as is Whatcom County. Mr. Karsh said that any rating lower than 10 merits a flood insurance premium discount of 15%.

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