

**SKAGIT COUNTY COMMISSIONERS
RECORD OF THE PROCEEDINGS
MONDAY, FEBRUARY 4, 2002**

8:30 a.m. – 9:30 a.m.	Work Session – County Administrator
*T 10:00 a.m. – 11:00 a.m.	Public Hearing – Skagit County’s Proposal to Address Growth Management Act Compliance Issues Related to Skagit County Code Chapter 14.16.820 Signs, in Case No. 00-2-0046c
11:00 a.m. – 11:30 a.m.	Consent Agenda and Miscellaneous Items
11:30 a.m. – 11:45 a.m.	Public Comment Period
2:00 p.m. – 4:00 p.m.	Executive Session – Personnel, Litigation and Land Acquisition

The Skagit County Board of Commissioners met in regular session on Monday, February 4, 2002, with Commissioners Don Munks, Kenneth A. Dahlstedt and Ted W. Anderson present.

PUBLIC HEARING – SKAGIT COUNTY’S PROPOSAL TO ADDRESS GROWTH MANAGEMENT ACT COMPLIANCE ISSUES RELATED TO SKAGIT COUNTY CODE CHAPTER 14.16.820 SIGNS, IN CASE NO. 00-2-0046C:

Linda Kuller, Senior Planner, Planning and Permit Center, presented an update on the status of the proposed sign ordinance. She explained that the proposed code has not yet been approved. Relative to Case No. 00-2-0046C, this is a compliance issue. The draft reflects the comments and recommendations made during the Planning Commission meeting. She said she is hopeful that a code version will soon be adopted.

Chairman Munks opened the public hearing for comment, asking that each person keep their remarks to 3 minutes.

A resident of Burlington stated that businesses need signage to exist and the original proposal was too restrictive to be effective. The changes now being proposed by the Planning Commission are reasonable and should be adopted.

Thomas Solberg, 19019 Minnie Road, Alger, said that he is a small business owner and he has a problem with the off premises signs. There should be an exception to the rule relative to these signs. A small business owner has a right to have more than one sign on the road. Existing signs should be grand fathered into the new code.

Martin Gore, 1326 Lakeview Blvd., Mount Vernon, said that he and his wife have owned and operated Meyer Sign Company for 24 years. He thanked Linda Kuller for her work in trying to solve the uniquely different issues in the proposed sign code. It has been a difficult task. He also thanked the Commissioners. He provided packets to the Commissioners addressing the issues they are concerned about. He requested that when considering the sign code, the Commissioners keep in mind the advertising of existing businesses and new businesses that may move into the County.

Jerry Kaufman, 16502 Country Club Drive, Burlington, said that he is a board member on the Port of Skagit County. They think the Port sign looks good in addition to showing where the Port is located. “We need jobs and businesses in Skagit County. Skagit County needs tourism for economic prosperity. If there is no signage you don’t stop. Many people travel through the County. There needs to be adequate signs.”

**RECORD OF THE PROCEEDINGS
MONDAY, FEBRUARY 4, 2002
PAGE NO. 2**

John Sitkin, 1500 Railroad Avenue, Burlington, stated that he is representing the Cook Road Texaco and property owners in Bayview, etc. He said you couldn't underestimate the value of billboards. He felt that areas like Bayview Ridge, where they will have their own growth problems, should be allowed to develop their own code that is applicable to Bayview Ridge.

Gary Krueger, 2109 Cedarview Road, read letters from he and his wife addressed to the Commissioners. He emphasized that a restrictive sign code would cause great hardship on their small business. They have been in business since April 1972. They own the Texaco station at the Starbird Exit. He said they rely on signs for their business and pointed out that they encourage people to stop in La Conner.

Ann Bischere, Annie's Pizza Station, Concrete, stated that she was present to defend neon. Neon is an art form and attracts customers. Since installing neon they have attracted a lot more customers. She noted that the Upper Skagit is not included in the ordinance. They need whatever signage they can get. The economy is not good in the upriver area. Another type of sign that is helpful is the community identification signs.

Harry Ota, 12515 Eagle Drive Burlington, thanked the Commissioners for appointing him to the Planning Commission. He said he is present today as a citizen and not as a Planning Commission member. He said he was surprised to find that a proposed ordinance of this complexity and impact to the County did not have a citizen's advisory committee. He said he hopes that in the future the Commissioners will consider using more citizens' advisory committees. He talked about a few times when Planning Commission hearings or meetings were scheduled and there was no quorum. He said he believes it is time to do something about this. The Commission is not able to do their job as well when they don't have a quorum. He said he would be glad to serve on such a committee. He suggested that Mr. Meyers of Meyers Signs would be a good candidate for such a committee. Meyer Signs generates a lot of business for the community.

June Kite, Starbird Road, Conway Area, spoke for Friends of Skagit County. She provided comments from Gerald Steel. They feel the ordinance that has been presented is adequate as submitted. Within the American Law of Zoning, for non-conforming uses, there are provisions that provide for pre-existing signs. There are a lot of non-conforming uses in Skagit County. It is the recommendation of the Friends of Skagit County that this section of the proposed ordinance not be deleted. She presented a packet that she provided at the Planning Commission and submitted an additional photograph that illustrates an off premise sign. The Friends are most concerned about off premise signs. The code is not an urban code and Friends are not concerned about urban areas and legitimate businesses that have permitted signs. She submitted the comment letter from Gerald Steel and the additional picture.

A gentleman from the Farmhouse Restaurant pointed out that at the present time farming businesses and the economy itself are down in Skagit County. The size of the sign that has been recommended for their business is totally inadequate. Regulations are important, but they should be reasonable and workable. They should enhance businesses as well as attract new business to the area. He suggested refocusing on what makes Washington beautiful.

Ellen Graham, Director of Friends of Skagit County, submitted a letter from Mary Anderson. She then talked about the current status of the County sign ordinance. At their January 31 hearing, the Hearings Board found Skagit County's current sign ordinance invalid. Invalidity is something that needs to be considered. It is important for the County to advise applicants at this stage of the game of the invalidity.

The Friends would like to see Skagit County maintain the non-conforming section of the code so that signs that do not comply must come into compliance. On site signs would be vested. She said they are asking that off site signs be brought into compliance. She asked if the Commissioners would think about this to see if it is a good compromise. Skagit County is growing

**RECORD OF THE PROCEEDINGS
MONDAY, FEBRUARY 4, 2002
PAGE NO. 3**

and there are certain economic concerns. Approximately 60,000 more people are expected to move into Skagit County in the next 20-25 years. As elected leaders it is important that the Commissioners look at the bigger picture. It is also important to recognize the special rural qualities of Skagit County. She asked the Commissioners to consider the compromise position the Friends of Skagit County are recommending.

Commissioner Dahlstedt asked how many people in Skagit County are members of the Friends of Skagit County.

Ms. Graham said there are about 300.

Terry Martin spoke, stating that he owns a sign company in Bellingham and has been in business for 54 years in Whatcom County. They have a range of service that covers Seattle to Bellingham to the mountains to the peninsulas. He stated that he belongs to an organization called the World Sign Association, which is an organization you have to be asked to participate in. You must be in business for over 25 years and have a lot of experience before they will accept you for membership. The organization is based in Denver and has a very large database that has thousands of sign ordinances from throughout the United States and the world. He said that Skagit County is not the only county that has had to rewrite their sign ordinance. It is a difficult issue to deal with. He said he has served on virtually dozens of ad hoc committees who have worked to put together a good ordinance. He said that he came to the Planning Department some months ago to offer his services and advise them of the resources that are available. He was told that they were only going to draw from the inside and didn't need anyone from outside the area.

He then suggested that local communities should get together. He said there are some things in the proposed ordinance that are unbelievable. When writing the ordinance, the County needs an amortization plan. He emphasized that people can still apply for a sign permit under the existing ordinance. No one should be held up waiting for the new sign ordinance. It is against the law. He recommended that the Commissioners check with the County's attorney about this.

Commissioner Anderson asked Mr. Martin for information about the database he referred to.

Mr. Martin said he would obtain that information for Commissioner Anderson.

As there was no further public comment, Commissioner Dahlstedt motioned to close the public hearing. Commissioner Anderson seconded the motion, which passed unanimously.

Chairman Munks thanked everyone for coming, explaining that it has been the practice of this board to review the material prior to a decision.

Ms. Graham recommended to the board that the written comment period remain open if information is going to be accepted by Commissioner Anderson from Mr. Martin.

Commissioner Anderson motioned to leave the public record open until Friday, February 9 at 4:30 p.m. Commissioner Dahlstedt seconded the motion, which passed unanimously.

CONSENT AGENDA:

Commissioner Dahlstedt moved to approve the Consent Agenda, items 1-15, for Monday, February 4, 2002. Commissioner Anderson seconded the motion, and it passed unanimously.

COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Monday, January 28, 2002.

ADMINISTRATIVE SERVICES:

2. Out-of-State Travel Requests for Brad Whaley, Chris Stamey, and Kathy Brown to attend the "Cayenta 2002 Customer Conference" in San Diego, CA., April 15-18, 2002 for a total cost of approximately \$1,350 for each person. This will give the attendees the ability to learn about the upcoming changes to software and support the County will face in 2002. **(Approved)**

FACILITIES MANAGEMENT:

3. Resolution to waive bidding requirements for the removal of two underground storage tanks that are leaking petroleum in the Skagit County Courtyard parking lot. This is being declared emergency work. **(R20020038)**
4. Amendment "A" to Vendor Services Agreement **No. 05135** with Semrau Engineering & Surveying, PLLC to coordinate the removal of two underground storage tanks according to Department of Ecology regulations. The tanks are located in the Skagit County Courtyard parking lot. Total additional costs for the removal of these tanks are \$35,751.65. An additional \$3,000 is also added in this Amendment for project closeout services unrelated to the removal of the tanks. Total compensation for this Amendment is \$38,751.65. **(Amendment No. A20020018)**

INFORMATION SERVICES:

5. Out-of-State Travel Request for Karen Radcliffe to attend the "Cayenta 2002 Customer Conference" in San Diego, CA., April 15-18, 2002 for a total cost of \$1,450. This is the annual financial system conference and training to provide updates on system issues. **(Approved)**
6. Agreement for Computer Access with Island Title Company for the period January 1, 2002 through December 31, 2002. The County will provide access to computer screens for a monthly fee of \$70, payable in advance on a quarterly basis. **(Contract No. C20020033)**
7. Agreement for Computer Access with First American Title Company for the period January 1, 2002 through December 31, 2002. The County will provide access to computer screens for a monthly fee of \$70, payable in advance on a quarterly basis. **(Contract No. C-20020034)**

PLANNING & PERMIT CENTER:

8. Coastal Zone Management (CZM) Grant Application to Washington State Department of Ecology. This application is only for CZM funds and only allows the Planning Department to apply for those funds. It does not require us to accept a contract if it is awarded to the County. The drafted application covers GIS mapping and resource analysis to help in future Shoreline Management Plan (SMP) policy drafting. It does not cover an SMP policy draft, only mapping of resource areas and data matrix compilation. **(Approved)**

RISK MANAGEMENT:

9. Memorandum of Understanding and Membership Agreement with the Washington State Association of Counties for the annual renewal of the WSAC Retro Pool for the fiscal year 04/01/02 thru 03/31/03. **(Approved)**

SHERIFF'S DEPARTMENT:

10. General Services Agreement for Administrative Investigation Services with the Washington State Patrol relating to employee misconduct. The Agreement shall commence on January 17, 2002 and end upon the delivery of the completed investigation. Estimated hourly rates for this Agreement range from \$13 to \$74.95, depending upon the services rendered. **(Contract No. C20020035)**
11. Contract with the Humane Society of Skagit Valley to provide shelter services for a 72-hour period of all animals impounded and delivered to the facility, keep a current list of all potentially dangerous and dangerous dogs, and the disposal of all animals in compliance with the provisions of the County ordinance, state and federal laws. The Agreement term is January 1, 2002 through December 31, 2002, with monthly reimbursement set at \$6,000 for this period. **(Contract No. C20020036)**

SUPERIOR COURT:

12. Personal Services Agreement with the Language Exchange to provide court-certified or qualified interpreters in all languages for hearings and trials as requested by Skagit County Superior Court. The term of this Agreement shall commence on January 1, 2002 and continue until December 31, 2002. Compensation shall be paid at a rate of \$45 per hour for Spanish interpreters, and at an amount to be negotiated at the time of requirement for some "exotic languages", with a two-hour minimum per appearance. **(Contract No. C20020037)**

YOUTH AND FAMILY SERVICES:

13. Interlocal Cooperative Agreement with the Swinomish Tribal Community to allow reimbursement for after school/evening cultural programming to Tribal children. The term of the Agreement shall commence on July 1, 2001 and continue until June 30, 2002. Skagit County Youth & Family Services shall provide limited reimbursement to the Swinomish Tribal Community based on the following schedule: \$3,214.33 each month with total reimbursement for the period of this Agreement not-to-exceed \$38,572. **(Contract No. C20020038)**

PUBLIC WORKS DEPARTMENT:

14. Coastal Zone Management Grant Application for the proposed Swinomish Flood By-Pass Channel. This grant is for monitoring, investigation, property owner involvement and education and will require a 50% local match. The By-Pass grant will utilize River Improvement funds budgeted for Environmental Impact Statement studies in the 2002 budget and is for a maximum of \$20,000. The match funds should be eligible for in-kind services credit with the Corps of Engineers on the Skagit River Feasibility Study Project. **(Approved)**
15. Task assignments Nos. 2 and 3 with EnviroIssues, a public relations firm, hired to provide public relations services for the Skagit River Flood Protection/Salmon Restoration Project and the Ag Buffer Program. Task Assignment No. 2 involves preparing a strategic communications and public involvement plan for the Skagit River Flood Protection/Salmon Restoration Project at a maximum allowable cost of \$4,498.30. Task Assignment No. 3 includes creation of a video to educate the community about flood dangers and the need for action on this same project. This video is an important component to gain consensus on this project from the community and other stakeholders. Maximum allowable cost for this task is \$21,812.58. **(Amendment Nos. A20020019 and A20020020)**

**RECORD OF THE PROCEEDINGS
MONDAY, FEBRUARY 4, 2002
PAGE NO. 6**

MISCELLANEOUS:

1. 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, February 4, 2002, the Board, by majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

Warrants numbered 114057 through 114298 from Clearing Fund 696 in the total dollar amount of \$940,726.21(Transmittal No. C-08-02);

Warrant numbered 114299 from Clearing Fund 696 in the total dollar amount of \$974.84 (Transmittal No. C-09-02).

2. The Board approved miscellaneous personnel additions and changes.
3. On behalf of Youth & Family Services, Staff presented a Resolution to authorizing the execution of an Interlocal Agreement with the school districts of Skagit County for truancy costs. Commissioner Dahlstedt moved to approve the Resolution and Commissioner Anderson seconded the motion, which passed unanimously. **(Resolution No. R20020039)**

PUBLIC COMMENT PERIOD:

Jamie Lanning, 13084 Highway 9, Mount Vernon, asked Commissioner Anderson about the status of the black top project that needs to be done in Clear Lake.

Commissioner Anderson said the Public Works Department has been out to look at the project several times. He assured Mr. Lanning that they will take care of the black topping the road this spring when they begin their annual road work.

Tom Solberg, 19019 Minnie Road, Alger, presented an application to the Board for the vacancy on the Science Advisory Panel. He spoke of his qualifications and the desire to offer his expertise to the panel. Mr. Solberg also spoke about his concerns regarding water lines and sewer hookups.

**RECORD OF THE PROCEEDINGS
MONDAY, FEBRUARY 4, 2002
PAGE NO. 7**

ADJOURNMENT:

Commissioner Anderson made a motion to adjourn the proceedings. Commissioner Dahlstedt seconded the motion, with passed unanimously.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Don Munks, Chairman

Kenneth A. Dahlstedt, Commissioner

Ted W. Anderson, Commissioner

ATTEST:

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