

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
TUESDAY, SEPTEMBER 10, 2002**

- 8:45 a.m. – 9:00 a.m. Bid Opening – One New 26 Foot Aluminum Boat
- *T 9:00 a.m. – 10:00 a.m. Skagit County Board of Health – Peter Browning, Director
1) Call for Public Hearing for Adoption of a Sewage Code for the Similk Beach LAMIRD
2) Arsenic in Skagit County
3) Local Health Jurisdiction’s Ability and Capacity to Respond to Public Health Emergencies
4) West Nile Virus in Skagit County
5) Miscellaneous
- *T 10:00 a.m. – 11:00 a.m. Parks, Recreation & Fair – Robert Vaux, Director
1) Charlie Custer Field Improvement IAC Grant Request
2) Parks & Recreation Advisory Board Facility Tour
3) Wally Sigmar Field Dedication
4) Recreation Update – Summer 2002 Report
5) Clear Lake Beach – Summer 2002 Report
6) Special Pathways Project Proposals: 1) Clear Lake Beach; 2) Fidalgo Elementary School
- *T 11:00 a.m. – 12:00 p.m. Public Hearing – To Consider Testimony Regarding Adoption of Updates to City and Town Development Regulations for Implementation Within the Unincorporated Urban Growth Areas of Burlington, Concrete, Mount Vernon, and Sedro Woolley
- *T 3:00 p.m. – 4:00 p.m. Public Hearing – To Consider Testimony on a Proposed Amendment to Skagit County Code Section 3.36.010(1), to Increase From \$0.25 Per Month to \$0.50 Per Month the Excise Tax on all Radio Access Lines Whose Place of Primary Use is in Skagit County for the Continuing Operation of an Emergency Services Communications System for Skagit County

The Skagit County Board of Commissioners met in regular session on Tuesday, September 10, 2002, with Commissioner Don Munks, Commissioner Kenneth A. Dahlstedt and Commissioner Ted W. Anderson present.

BID OPENING – ONE NEW 26 FOOT ALUMINUM BOAT.

Sheriff Ed Goodman was present for the bid opening of one new 26 foot aluminum boat. The following bid was received:

Aluminum Chambered Boats, LLC
803 Harris Avenue, Suite 9
Bellingham, WA 98225
Bid Bond Enclosed
Base Bid: \$92,249.92
Total Bid Price Including Tax: \$99,445.41

Mr. Goodman indicated that a Resolution awarding the bid will be submitted under next week’s Consent Agenda.

SKAGIT COUNTY BOARD OF HEALTH – Peter Browning, Director

1. Call for Public Hearing for Adoption of a Sewage Code for the Similk Beach LAMIRD.

Corrine Story, Environmental Health Supervisor, stated that the appeal period has passed for adoption of the Similk Beach LAMIRD. This will allow the community to pursue a community sewer system for its long-term sewage disposal problem. Therefore, the LAMIRD is now officially adopted into the Skagit County Comprehensive Plan.

Several changes to the Skagit County Sewage Code are being proposed to deal with existing on-site sewage systems that are in currently in place. The changes include:

1. A description of the service area for the Similk Beach community sewer system.
2. Provide that any development or remodeling in the LAMIRD be required to connect to the community sewer system.
3. Property owners in the LAMIRD with functioning septic systems who choose not to connect to the community sewer system once it is available have annual operations and maintenance inspections.
4. Property owners in the LAMIRD with failing septic systems must connect to the community sewer system once it is available.
5. Failing septic systems outside of the Similk Beach LAMIRD will not be allowed to connect to the community sewer system.

Ms. Story requested a public hearing to consider testimony for the purpose of adoption of On-site Sewage Disposal code revisions.

Commissioner Anderson motioned to approve holding a public hearing on Tuesday, October 8, 2002 at 9:00 a.m. Commissioner Dahlstedt seconded the motion, which passed unanimously. **(Resolution No. R20020327)**

2. Arsenic in Skagit County.

Sherry Webber, Environmental Health Intern, gave a presentation on arsenic in Skagit County. She said that the U.S. environmental Protection Agency recently lowered the arsenic standard for drinking water from 50 parts per billion (ppb) to 10 ppb. It was lowered due to information on the possible human health effects of arsenic exposure. These health effects contribute to cardiovascular disease, diabetes mellitus, nervous system damage, and various forms of cancer.

Arsenic is a naturally occurring element in the earth's crust and can be found in groundwater that comes into contact with arsenic laden rock. As a result of the recent lowering of the arsenic standard, the Skagit County Health Department will be gathering information to understand where and at what level arsenic is occurring within the County.

3. Local Health Jurisdiction's Ability and Capacity to Respond to Public Health Emergencies.

John Hadman, Environmental Health Specialist, reported that Skagit County is already underway in developing an emergency response plan. In the near future, a communicable disease response plan will be implemented as well as a bio-terrorism response plan. Mr. Hadman stated that the Department of Ecology and the Communicable Disease Center have provided an assessment tool for local jurisdictions to respond to weapons of mass destruction.

The Local Health Jurisdiction Assessment questionnaire is intended to capture information necessary to assess the LHJA ability and capacity to respond to public health emergencies, including an emergency resulting from a bio-terrorism event. The goal is to capture information

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necessary to establish a baseline with regard to public health emergency preparedness in Washington State.

Commissioner Dahlstedt asked if any effort has been made to make the nation's food supply safe. Only one percent of the food being brought in from other countries is being inspected.

Mr. Hadman said he will be attending training at the end of the month that will deal with the protection of our food supply. He will continue to research various changes that are being made.

4. West Nile Virus in Skagit County.

Sandy Paciotti, Communicable Disease Nursing Supervisor, reported that the West Nile Virus was first isolated in Uganda in 1937. It was possibly imported into the United States from the Middle East in 1999 by an infected bird. Mosquitoes pick up the virus when they bite infected birds, then spread it when they bite another bird, person, or mammal. Washington State has identified approximately 7 species of mosquitoes known to be able to carry the virus.

As of September 1, 2002, 850 cases have been identified in the United States, resulting in 43 deaths. Symptoms appear within 3-15 days after being bit by an infected mosquito and include fever, fatigue, loss of appetite, nausea, rash and swollen lymph nodes. There is no vaccine or specific treatment for the virus.

Ms. Paciotti stated that the West Nile Virus has not yet been detected in Washington State. A Skagit County resident has been diagnosed with the probable virus. She had traveled to Detroit, Michigan and noted receiving mosquito bites while there.

5. Miscellaneous.

No items were presented for miscellaneous.

PARKS, RECREATION & FAIR – Robert Vaux, Director

1. Charlie Custer Field Improvement IAC Grant Request.

A written report will be submitted to the Skagit County Board of Commissioners.

2. Parks & Recreation Advisory Board Facility Tour.

A written report will be submitted to the Skagit County Board of Commissioners.

3. Wally Sigmar Field Dedication.

Bob Vaux, Director, noted that the Wally Sigmar Soccer Field dedication will be held on Sunday, September 15 at 1:00 p.m. at the Skagit Valley College campus. He invited everyone to attend the event.

4. Recreation Update – Summer 2002 Report.

Mr. Vaux indicated that the department is in the process of submitting a summer recreation update that will be provided to the Board.

5. Clear Lake Beach – Summer 2002 Report.

Lauren Woodmansee, Recreation Coordinator, reported that revenue generated from Clear Lake Beach totaled over \$40,000 for the summer. Three concerts were held as well as other types of entertainment. Attendance broke the 14,000 mark and there were over 1,400 Best SELF visitors.

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Ms. Woodmansee said the staff did an exceptional job and all in all, it was a phenomenal summer at the lake.

She also noted that the department is in need of another circulator to act as a backup in the event of a failure. She also requested Real Estate Excise Tax monies for the construction of a concession stand. The make-shift stand that is currently being used, netted \$13,000 in profits this summer.

Commissioner Anderson asked how the summer concert series at Howard Miller Steelhead Park went.

Ms. Woodmansee said there were always between 250-400 people in attendance. The concerts occurred on the last Saturday of every month during the summer months.

6. Special Pathways Project Proposals: 1) Clear Lake Beach; 2) Fidalgo Elementary School.

1. Patrik Dylan, Project Manager, spoke about the Clear Lake Beach Special Pathways Project. Of the approximately 11,000 people that visit this park every summer, the vast majority are children that are dropped off from cars in the parking lot. As the parking lot in front of the park can only accommodate 20 cars, the drop-off traffic is significant. This plan would put a permanent pedestrian route all along the site so children can quickly get out of the way of automobile traffic and safely get to the park. In addition, the pathway has a "pull-out" that will allow for a drop-off zone.

Special pathways funds were used a couple of years ago to widen the shoulder of Front Street to accommodate foot traffic for people walking to the park from a remote parking area, for people walking home or to a local store from the park. This project seeks to complete that work by creating a full pedestrian connection of the widened shoulders east and west of the park that is removed from the automobile traffic. The pedestrian route is designed to be ADA accessible in both width and grade.

Commissioner Anderson said he thought the project was a great idea and believes the County right-of-way on the other side of the road could be extended out farther than what is actually being used. His suggestion is to bring together the Parks & Recreation Department and the Public Works Department to discuss the possibilities.

Karen Hackett, Hermway Heights Place, Mount Vernon, said she is very supportive of Clear Lake, however, she feels someone needs to look into the 25 mph speed limit, as people don't observe it.

2. Mr. Vaux indicated that he met with Chris Borgen, principal of Fidalgo Elementary School recently to discuss the possibility of developing a special pathways project. He outlined what the project would entail.

Mr. Borgen thanked the Board for their generosity in supplying the funding for the new tennis courts. He believes the Fidalgo School site is a recreation area used constantly by nearby residents. There is unanimous community support for the project.

Commissioner Anderson said the site would be a perfect place for the special pathways project. When these types of facilities are put in, people will use them.

Chairman Munks agreed with Commissioner Anderson and stated that any request for funds be directed to Brad Whaley, Finance Director.

**PUBLIC HEARING – TO CONSIDER TESTIMONY REGARDING ADOPTION OF
UPDATES TO CITY AND TOWN DEVELOPMENT REGULATIONS FOR
IMPLEMENTATION WITHIN THE UNINCORPORATED URBAN GROWTH AREAS
OF BURLINGTON, CONCRETE, MOUNT VERNON AND SEDRO-WOOLLEY.**

Kirk Johnson, Senior Planner, stated that the Planning Commission met on June 18, 2002 and brought forth a Recorded Motion recommending adoption of City and Town Development regulation updates within the Urban Growth Areas of Burlington, Concrete, Mount Vernon, and Sedro-Woolley. The Recorded Motion contained two sections:

- 1) Recommending adoption of Sedro-Woolley Impact Fees for Planned Facilities and School Facilities, provided that the revisions to the Interlocal Agreement between the County and Sedro-Woolley are made before collected monies may be spent; and
- 2) Recommending adoption of the full package of regulation updates proposed by Burlington, Mount Vernon, Sedro-Woolley and Concrete.

The Board of County Commissioners, in the past, expressed concerns on the following:

Mount Vernon Ordinance No. 2988. Among other things, this ordinance establishes rates and charges for sewer service to property located outside the City limits, and also establishes that as “a condition of providing sewer service to any property situated outside the corporate boundaries of the City, the City may require the execution and recordation of an agreement in which the owner of the property waives all right to protest annexation of any portion of the property served to the City.”

Sedro-Woolley Municipal Code (SWMC) Chapter 15.60. Authorizes the City to assess impact fees for planned facilities, including streets, public parks, open space and recreational facilities, and fire protection facilities.

Sedro-Woolley Municipal Code (SWMC) Chapter 15.64. Authorizes the City to assess impact fees for school facilities.

Chairman Munks opened the Public Hearing for testimony.

The following people spoke against the annexation of the South Mount Vernon Urban Growth Area: Tom Moser, Mount Vernon, Attorney at Law, representing the Cedardale property owners; Tom Sicklesteel, Martin Boer, Ernie Ward, Bill Youngsman, Colonel Betz, Attorney, representing Jim Scott who represents Ed Watson – a potential property purchaser, and Dennis DeVere.

Louis Requa, Sedro Woolley, stated that when the issue of growth within UGAs was discussed by the Planning Commission, a section was created in the comprehensive plan that said if you are without sewer in the UGA, it is acceptable to be on a septic tank with a drain field. It required no protest agreements for annexation and or services.

Pat Hayden, Attorney for the City of Sedro Woolley, suggested that impact fees be adopted, and Sedro Woolley Mayor Sharon Dillon agreed.

Several other citizens spoke of their concerns regarding impact fees for the City of Sedro-Woolley.

As no further testimony was forthcoming, Commissioner Anderson motioned to close the Public Hearing. Commissioner Dahlstedt seconded the motion and the Public Hearing was closed.

Commissioner Dahlstedt thanked everyone for coming and stated that whatever decisions are made, the public needs to understand why they were made.

PUBLIC HEARING – TO CONSIDER TESTIMONY ON A PROPOSED AMENDMENT TO SKAGIT COUNTY CODE SECTION 3.36.010(1), TO INCREASE FROM \$0.25 PER MONTH TO \$0.50 PER MONTH THE EXCISE TAX ON ALL RADIO ACCESS LINES WHOSE PLACE OF PRIMARY USE IS IN SKAGIT COUNTY FOR THE CONTINUING OPERATION OF AN EMERGENCY SERVICES COMMUNICATIONS SYSTEM FOR SKAGIT COUNTY.

Chairman Munks was absent for this particular item.

Commissioner Anderson opened the Public Hearing.

As there was no public testimony forthcoming, Commissioner Dahlstedt motioned to close the Public Hearing. Commissioner Anderson seconded the motion and the Public Hearing was closed.

Commissioner Dahlstedt motioned to approve an Ordinance Amending Skagit County Code Chapter 3.36, Relating to Enhanced 911 Excise Taxes. Commissioner Anderson seconded the motion, which was carried. **(Ordinance No. O20020004)**

Commissioner Dahlstedt motioned to approve a Resolution Submitting and Authorizing Proposition to the Voters of Skagit County to Fix and Impose a Sales and Use Tax of One-Tenth of One Percent Pursuant to Chapter 82.14.RCW, to Be Used Solely For the Purpose of Providing Funds for Costs Associated with the Operation of Emergency Communications Systems and Facilities. Commissioner Anderson seconded the motion, which was carried. **(Resolution No. R20020328)**

ADJOURNMENT.

Commissioner Dahlstedt made a motion to adjourn the proceedings. Commissioner Anderson seconded the motion, which 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