

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
TUESDAY, MAY 13, 2003**

8:30 a.m. – 9:00 a.m.                      Work Session – Operation Division Manager/Road District Maintenance Supervisors

- \*T** 9:00 a.m. – 10:00 a.m.                      Public Works Department – Chal Martin, Director
1.            Presentation – Monetary Support From the Northwest Straits Commission for the Work of the County's Marine Resources Committee
  2.            Presentation – Certificate of Good Practice
  3.            Discussion – Flood Control Issues
  4.            Miscellaneous

- \*T** 10:00 a.m. – 11:00 a.m.                      Planning and Permit Center – David Blane, Director
1.            Signature – Ordinances Approving Planning Commission Recommendations on Growth Management Compliance Issues
  2.            Discussion and Possible Action – Edison Clean Water Subarea Authority
  3.            Continued Discussion and Possible Action – Planning Commission Recommendation on Open Space/CaRD – Growth Management Compliance Issue
  4.            Discussion and Possible Action – Capital Facilities Planning Issues
  5.            Miscellaneous

2:00 p.m. – 3:00 p.m.                      Executive Session – Personnel, Litigation, and Land Acquisition

The Skagit County Board of Commissioners met in regular session on Tuesday, May 13, 2003, with Commissioners Kenneth A. Dahlstedt, and Don Munks present. Commissioner Ted W. Anderson was excused.

**PUBLIC WORKS DEPARTMENT – CHAL MARTIN, DIRECTOR**

**1.            Presentation – Monetary Support From the Northwest Straits Commission for the Work of the County's Marine Resources Committee.**

Rick Boge, Public Works Natural Resource Project Manager, introduced Tom Cowan, Director of the Northwest Straits Commission. Mr. Cowan gave an update of the Northwest Straits Initiative and the Northwest Straits Commission's role in environmental restoration. Mr. Cowan presented a \$70,000 check from the Commission to the County. The funds are to support the Marine Resource Committee to provide training, to give technical assistance for projects, and to coordinate activities.

**2.            Presentation – Certificate of Good Practice.**

Chal Martin, Public Works Director, provided background on the Certificate of Good Practice. The County Road Administration Board provides a Certificate of Good Practice on an annual basis if the County is meeting their statutory duties to oversee the roads system. Commissioner Munks read the Certificate of Good Practice award. Commissioner Munks then moved that the Certificate of Good Practice awarded by the County Road Administration Board be presented to the Skagit County Engineer. Commissioner Dahlstedt seconded the motion, which carried unanimously. The Commissioners presented the award to Steve Flude, County Engineer. Commissioner Dahlstedt asked about County road maintenance statistics. Mr. Martin stated that he does not have current statistics, but last year's data indicated that County road maintenance costs were among the lowest in the state. The Commissioners expressed their appreciation to the members of the County road crew for their preventive maintenance efforts.

**3. Discussion – Flood Control Issues.**

Mr. Martin updated the Board on the results of a recent meeting with Puget Sound Energy (PSE) regarding the study of additional flood storage within the context of the Baker relicensing process. PSE's main concern is the time deadline for relicensing. The County will attempt to meet that deadline by having the study completed by December 2003.

Mr. Martin stated that he and Commissioner Dahlstedt met with Colonel Graves of the Army Corps of Engineers (Corps) last week. Mr. Martin believes that the County has convinced the Corps that this study is important. It could be incorporated into the feasibility study. Public Works is in the process of arranging a trip to Washington, D.C. for Commissioner Dahlstedt to meet with key legislators and the Corps regarding flood issues. The state legislature authorized \$300,000 out of this year's transportation bill that can be used for the purpose of flood control.

The County has been also been working the Burlington Northern Santa Fe (BNSF) Railroad. Don Dixon, Surface Water Manager, will be traveling to Kansas City this week for a meeting with BNSF to discuss replacement of the railroad bridge.

The Commissioners discussed the importance of flood control to the citizens of Skagit County.

**4. Miscellaneous.**

Commissioner Munks read a summary of Amendment No. 1 to Agreement **No. 03578** with the Army Corps of Engineers for the Skagit River Flood Damage Reduction Feasibility Study. The amendment increases the authorized spending on the project from \$3,970,000 to \$4,370,180. It further modifies the agreement to remove the restriction on the amount of credit that can be given to the County for in-kind services. Formerly, half of the County's contribution toward the project had to be in cash. The overall cost share remains 50% County and 50% Corps of Engineers. Commissioner Munks moved and Commissioner Dahlstedt seconded the motion to adopt the amendment. The motion carried unanimously. (**Amendment No. A20030055**).

**PLANNING & PERMIT CENTER – DAVID BLANE, DIRECTOR**

**1. Signature – Ordinances Approving Planning Commission Recommendations on Growth Management Compliance Issues.**

Gary Christensen, Assistant Director for Community Planning, presented the following Ordinances that were approved at the May 6, 2003 Commissioner's meeting to the Board for signature:

- Addressing Big Lake Rural Village Growth Management Compliance Issues in Western Washington Growth Management Hearings Board Case No. 00-2-0046c. (**Ordinance No. 020030012**).
- Addressing Growth Management Act Compliance Issues on Open Space Corridors and Greenbelts Within and Between Urban Growth Areas in Western Washington Growth Management Hearings Board Case No. 02-2-0005. (**Ordinance No. 020030013**).
- Addressing Rural Marine Industrial (RMI) Growth Management Compliance Issues in Western Washington Growth Management Hearings Board Case No. 00-2-0049c. (**Ordinance No. 020030014**).
- Addressing Rural Commercial and Industrial Acreage Compliance Issues Under the Growth Management Act in Western Washington Growth Management Hearings Board Case No. 00-2-0049c. (**Ordinance No. 020030015**).

**2. Discussion and Possible Action – Edison Clean Water Subarea Authority.**

Ron Palmer, Health Department, presented the Board with a letter of understanding granting authority for review and approval of the Edison Subarea Clean Water District Drainfield. The letter was in response to a request by the Washington State Department of Ecology. Commissioner Munks moved and Commissioner Dahlstedt seconded a motion to authorize any of the following individuals to review and approve the Edison Large On-Site Septic System and improvements: Peter Browning, David Blane, Ron D. Palmer and Alison P. Mohns. The motion carried unanimously.

**3. Discussion and Possible Action – Capital Facilities Planning Issues.**

Guy McNally, Senior Planner, reported on the Capital Facilities Plan (CFP) which was delayed to allow for a re-analysis of proposed projects and funding feasibility. Mr. McNally asked for Board direction on the three following policy issues prior to beginning the 2004-2009 update of the Capital Facilities Plan, and final adoption of the 2003 update:

1. Use of 1<sup>st</sup> and 2<sup>nd</sup> ¼% Real Estate Excise Tax (REET) revenues;
2. Use of new population forecast adopted by the Growth Management Steering Committee for CFP planning purposes; and
3. Choice of a basic assumption in the growth in FTE employees for Skagit County government over the next six years.

Commissioner Dahlstedt stated that he would like to have Commissioner Anderson, the County Administrator, the Budget and Finance Director, and the Facilities Director involved in providing direction on the requested information and also planning for possible long-range costs if the County form of government were to be changed. The Board will address the Capital Facilities Planning issues at the next Planning and Permit Center agenda on Tuesday, May 27, at 10:00 a.m.

**4. Continued Discussion and Possible Action – Planning Commission Recommendation on Open Space/CaRD – Growth Management Compliance Issue.**

Kendra Smith, Assistant Director for Community Development, addressed the Boards concerns from the previous meeting on the Planning Commission recommended Ordinance on the Open Space CaRD Growth Management compliance issue: 1) Three percent (3%) for public access. (This has been deleted entirely); (2) Thirty percent (30%) as permanent open space. That requirement is to maintain the rural character of the County and still allow for development; (3) Whether or not under rural open space it would ever be possible to change to urban open space. That would be possible through a Comprehensive Plan change through a 20-year needs analysis. (4) The requirements for open space greenbelts and trails. The language allows for that usage if desired by the developer, but it is not a requirement.

Chairman Dahlstedt asked for a correction from “8” to “9” on the number of votes by the Planning Commission on the Planning Commission’s Recorded Motion. Commissioner Munks stated he had met with staff over the clarifications, and still has some concerns but realizes this needs to be moved forward and is a compliance issue. Commissioner Munks stated he would like to caveat his motion with stating that he would like to stipulate that this issue be revisited when addressing Growth Management in the 2005 timeframe. Commissioner Munks moved approval of the Ordinance Addressing Skagit County Conservation and Reserve Development Compliance Issues in Western Washington Growth Management Hearings Board Case No. 00-2-0046c as outlined. Commissioner Dahlstedt seconded the motion, which carried unanimously. (**Ordinance No. O2003016**).

**5. Miscellaneous.**

Linda Kuller, Senior Planner provided information on the Planning Commission’s recorded motion and a complete record of deliberations regarding the Ag Processing Facilities Interim Ordinance O2003006. The Planning Commissioner had a 4-3 split vote, which did not meet the requirement to formally transmit

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an affirmative recommendation to the Board of Commissioners. The Planning Department is recommending that the Board of County Commissioners hold its own public hearing and take action on this issue as allowed by County Code. They are also recommending that the original Interim Ordinance and the Ordinance that was recommended with a motion by Dave Hughes of the Planning Commission, which included amendments proposed by the Agricultural Advisory Board be circulated for review. Commissioner Dahlstedt expressed some concerns that two members of the Planning Commission were absent. The option of sending the Ordinance back to the Planning Commission was discussed. Commissioner Munks stated that there is a split on the Planning Commission and he is not sure the outcome would be different if all members were present. He stated this is a critical issue that needs to be resolved fairly and in the least amount of time. Commissioner Munks moved to proceed with the Planning staff's recommendation to hold public hearing on June 3, 2003, between 10:00 and 11:00 a.m. and circulate the two drafts as recommended. Commissioner Dahlstedt seconded the motion, which carried unanimously.

Mr. Christensen inquired about questionnaires that have not been returned from interested parties who wish to serve on the Fidalgo Island Subarea Committee. Commissioner Munks stated that the process was discussed yesterday, and it was decided that Commissioners' Office staff would contact those who did not return surveys and determine why they were not returned. He stated that the Commissioners want to give all those who expressed interest an opportunity to serve on the committee if they wish.

**ADJOURNMENT.**

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

**BOARD OF COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON**

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Kenneth A. Dahlstedt, Chairman

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Ted W. Anderson, Commissioner

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Don Munks, Commissioner

ATTEST:

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Shirley Knapp, acting Clerk of the Board for JoAnne Giesbrecht  
Skagit County Board of Commissioners