

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
TUESDAY, JULY 22, 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. Signature – Resolution Calling for Bids for Edison Slough Flood Control Improvement Project. (Bid Opening: August 12, 2003 @ 11:00 a.m.)
2. Signature – Ducks Unlimited North American Wetlands Conservation Act Grant Partnership Letter Related to the Telegraph Slough Complex
3. Discussion – Skagit Water Rights
4. Discussion – George Hopper Interchange/SR-20 Interchange
5. Miscellaneous

\*T 10:00 a.m. – 11:00 a.m.

**Planning and Permit Center, David W. Blane, Director**

1. Consideration of Planning Commission Recorded Motion Regarding Revised Procedures for Comprehensive Plan Amendment Applications to Modify Urban Growth Area Boundaries
2. Discussion and Possible Action – Resolution Establishing a Fidalgo Island Subarea Plan Citizens Advisory Committee (“CAC”) and Technical Advisory Committee (“TAC”)
3. Approval of Hearing Examiner’s Recommendation of Variance Request PL02-0744 submitted by Skagit Land Trust to Create a 25-Acre Parcel on Property Designated as Agriculture-NRL
4. Miscellaneous

11:00 a.m. – 11:15 a.m. Public Hearing –Adoption of a Schedule of Charges Revisions Proposed by the Skagit County Health Department

11:30 a.m. – 11:45 a.m. Bid Opening – Bridge Painting

3:00 p.m. – 4:00 p.m. Work Session – Review of Skagit County Hazards Mitigation Plan

**PUBLIC WORKS DEPARTMENT – Chal Martin, Director**

**1. Signature – Resolution Calling for Bids for the Edison Slough Flood Control Improvement Project.**

Dave Brookings, Public Works Administrator, spoke about a call for bids for the Edison Slough Flood Control Improvement Project. This project provides for the installation of 35 lineal feet of box culvert and 800 lineal feet of channel widening, which will reduce flooding in the Edison area. Edison pond construction would also be included in the project specifications and then constructed if right-of-ways can be obtained in time. Mr. Brookings indicated that the project would begin in late September, given the Board’s approval.

Commissioner Anderson motioned to approve a resolution calling for bids for the project as outlined by Mr. Brookings. Commissioner Munks seconded the motion, which passed with a unanimous vote. The bid opening will be held on Tuesday, August 8, 2003 at 11:00 p.m. **(Resolution No. R20030259)**

**2. Signature – Ducks Unlimited North American Wetlands Conservation Act Grant Partnership Letter Related to the Telegraph Slough Complex.**

Mr. Brookings next discussed a North American Wetlands Conservation Act (NAWCA) partnership letter that would enable Skagit County to be a matching partner on the Skagit/Samish Wetlands Phase III NAWCA grant. Ducks Unlimited will be submitting a NAWCA grant that includes \$400,000 to be used to purchase properties within the Telegraph Slough Complex. Skagit County's contribution to this grant will be to allow Ducks Unlimited to use \$600,000 of Skagit County's Aquatic Lands Enhancement Account grant for this purchase as a source of matching funds required for the grant. Mr. Brookings stated that as part of this action, Skagit County will also withdraw their existing NAWCA grant application for the purchase of Telegraph Slough properties.

Commissioner Anderson made a motion to approve the letter to Ducks Unlimited as outlined by Mr. Brookings and Commissioner Munks seconded the motion. The motion passed with a unanimous vote. **(Approved)**

**3. Discussion – Skagit Water Rights.**

Chal Martin, Director, provided an update on the progress being made regarding the Skagit River Water Rights negotiations. Skagit County's water rights attorney, Joe Mentor, has taken the lead on these ongoing discussions.

**4. Discussion - George Hopper Interchange/SR-20 Interchange.**

Mr. Martin asked for the Board's approval on a letter addressed to Senator Mary Margaret Haugen regarding the I-5/SR-20 Interchange and the I-5/George Hopper Interchange. He spoke of a proposal recently made by a local real estate developer, which would change the Washington State Department of Transportation's proposed elevated on/off ramp configuration of the I-5/SR-20 Interchange to a surface ramp configuration. Preliminary traffic engineering studies of the surface configuration show it to be just as effective as the elevated configuration at one-third of the cost. This proposal also has the potential to save money and should be pursued so that the savings can then be invested for other critical transportation needs. One of those critical needs is the I-5/George Hopper Interchange, located just one mile south of the previous mentioned interchange.

Mr. Martin stated that it is the County's intention to work in partnership with WSDOT to undertake and fund the preliminary design work for the expansion of the George Hopper Interchange.

Commissioner Anderson motioned to send the letter as outlined by Mr. Martin and Commissioner Munks seconded the motion, which passed unanimously. **(Approved)**

**5. Miscellaneous.**

The Board discussed in length the Hansen Creek project, with Don Dixon and Given Kutz from the Public Works Department present.

**PLANNING & PERMIT CENTER – David Blane, Director**

**1. Consideration of the Planning Commission's Recorded Motion Regarding Revised Procedures for Comprehensive Plan Amendment Applications to Modify Urban Growth Area Boundaries.**

Kirk Johnson, Senior Planner, gave a brief introduction of the possible permanent adoption of Interim Ordinance No. O20030005, modifying Urban Growth Area boundaries. The interim ordinance was adopted on February 4, 2003 and amended Skagit County Code 14.08.020. These required Comprehensive Plan Amendment applications, proposing to modify Municipal UGA boundaries, must be submitted to the appropriate municipal planning department by the last business day of March of each

**RECORD OF THE PROCEEDINGS  
TUESDAY, JULY 22, 2003  
PAGE NO. 3**

year. On March 27, 2003, the Planning Commission recommended that the provisions of Interim Ordinance No. O20030005 be adopted on a permanent basis, prior to its expiration on August 4, 2003.

With that, Commissioner Anderson motioned to approve the Planning Commission's recommendation, as stated in its March 27, 2003 recorded motion, to make permanent the provisions of Interim Ordinance No. O20030005. Commissioner Munks seconded the motion, which passed. The Planning and Permit Center shall forward a permanent ordinance to the Board for adoption before August 4, 2003.

**2. Discussion and Possible Action – Resolution Establishing a Fidalgo Island Subarea Plan Citizen's Advisory Committee (CAC) and a Technical Advisory Committee (TAC).**

Gary Christensen, Assistant Director, introduced a draft resolution reflecting the Skagit County Commissioners' appointments to the Fidalgo Island Subarea Plan Citizen Advisory Committee and Technical Advisory Committee. He indicated that the roles, responsibilities and a timeline are established in the draft, which is currently undergoing review by legal counsel.

A question was asked as to whether or not everyone on the proposed committees lives on Fidalgo Island and outside of the city limits of Anacortes. Commissioner Anderson specifically questioned the appointment of Ian Munce as he currently serves as the Anacortes City Planner. Commissioner Munks said he had no problem removing Mr. Munce's name off of the list as long as someone else is found to take his place. Chairman Dahlstedt suggested that perhaps Anacortes Public Works Director, Bob Hyde, would be interested in the position.

Commissioner Anderson said he is interested in protecting those people that live in rural areas. He then motioned to approve the draft resolution as outlined, with the exception of the appointment of Ian Munce. Commissioner Munks seconded the motion, which passed unanimously. A permanent resolution will be brought forth after another representative for the Technical Advisory Committee is approved.

**3. Approval of the Hearing Examiner's Recommendation of Variance Request No. PL02-0744, Submitted by Skagit Land Trust, to Create a 25-Acre Parcel on Property Designated as Agriculture-NRL.**

Marge Swint of the Planning and Permit Center, submitted photographs of the proposed 25-acre parcel. She said the variance request was to create a 25-acre parcel with an existing home site out of approximately 260-acres of designated Agriculture-NRL land. The remaining 235-acres, encompassing the creeks, river frontages, wetlands, and sloughs on the property, is proposed to be purchased by the applicant and then transferred to the U.S. Forest Service for inclusion in the Skagit Wild and Scenic Rivers Program. She indicated that the two parcels would be created through the short plat process.

Several concerns expressed by the Board were addressed. Skagit Land Trust representative, Martha Bray, explained that there was an additional condition that they had requested as part of granting the variance, which would protect the County's interest in terms of meeting Skagit County Code. The condition is that if Skagit Land Trust ends up owning the property then a restrictive covenant would be placed on the property to ensure that it could not be sold to a private party to be developed.

Ms. Swint reviewed the conditions that the Hearing Examiner has recommended to the Board, including the one condition that the Department would like to see changed. Condition (d) should be changed to read "the short plat shall be conditioned on the placement of a restrictive covenant or conservation easement on the large lot that is terminable only if it is conveyed to the U.S. Forest Service." Chairman Dahlstedt suggested that the County's legal department review the change before it is entered into the record. Mr. Christensen suggested it be contingent only on approval by legal counsel.

Bob Rose, Skagitonians to Preserve Farmland, said a discussion took place approximately three months ago with the U.S. Forest Service about keeping this property and other properties in agricultural production as much as possible. The direction of the Forest Service is to keep land like this in open

**RECORD OF THE PROCEEDINGS  
TUESDAY, JULY 22, 2003  
PAGE NO. 4**

pastures and grazing as they see that as a way to minimize their operation and maintenance costs over time.

Commissioner Anderson moved to adopt the recommendation of the Hearing Examiner, which would allow for the creation of a 25-acre parcel with an existing home and a 235-acre parcel to be included in the Skagit Wild and Scenic Rivers Program through the short plat process. One change from the Hearing Examiner's recommendation would be condition (d), which says the short plat shall be conditioned on the placement of a restrictive covenant or conservation easement on the large lot that is terminable only if conveyed to the U.S. Forest Service. Therefore, condition (d) shall be amended as recommended by Ms. Swint and subject to review by legal counsel. Commissioner Munks seconded the motion, which passed unanimously.

**4. Miscellaneous.**

Mr. Blane announced that on Tuesday, August 12, 2003 at 10:00 a.m., the Board will be considering the Planning Commission's Recorded Motion on the Carlson shoreline map amendment.

**PUBLIC HEARING – ADOPTION OF A SCHEDULE OF CHARGES, REVISIONS PROPOSED BY THE SKAGIT COUNTY HEALTH DEPARTMENT.**

Peter Browning, Director, advised the Board of the necessity to increase fees for Vital Statistics records, in accordance with RCW 70.58.107.

Chairman Dahlstedt opened the public hearing. There being no public testimony forthcoming, Commissioner Anderson motioned to close the public hearing. Commissioner Munks seconded the motion and the public hearing was closed.

Commissioner Anderson made a motion to adopt revisions to the Skagit County Health Department Schedule of Charges for Vital Statistics as outlined by Mr. Browning. Commissioner Munks seconded the motion, which passed unanimously. A resolution will be brought forth for the Consent Agenda within the next few weeks.

**BID OPENING – BRIDGE PAINTING.**

Linda Eaton and Keith Elefson of the Public Works Department opened bids for the 2003 Bridge Painters Maintenance Cleaning and Painting Project. Bridges included are the Government Bridge No. 40099; Finney Creek Bridge No. 40089; and the BNSF Railroad Overpass Guardrail No. 40111. The bids are as follows:

D. S. Purcell Painting, Inc.  
6456 South 144<sup>th</sup> Street  
Tukwila, WA 98168  
Bid Bond Enclosed  
Addendum Acknowledged  
Total Bid: \$696,250

Americoat Painting Company, Inc.  
120 Pine Oak Place  
Campbell, OH 44405  
Bid Bond Enclosed  
Addendum Acknowledged  
Total Bid: \$245,500

**RECORD OF THE PROCEEDINGS  
TUESDAY, JULY 22, 2003  
PAGE NO. 5**

A & A Coatings, Inc.  
P. O. Box 1447  
Sumner, WA 98390  
Bid Bond Enclosed  
Addendum Acknowledged  
Total Bid: \$404,331

Long Painting  
21414 68<sup>th</sup> Avenue South  
Kent, WA 98032  
Bid Bond Enclosed  
Addendum Acknowledged  
Total Bid: \$342,243

Dunkin & Bush, Inc.  
4648 Pacific Highway  
Bellingham, WA 98226  
Bid Bond Enclosed  
Addendum Acknowledged  
Total Bid: \$342,243

Mr. Elefson indicated that the bids would be reviewed and a recommendation would be forthcoming.

**ADJOURNMENT.**

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

**BOARD OF COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON**

\_\_\_\_\_  
Kenneth A. Dahlstedt, Chairman

\_\_\_\_\_  
Ted W. Anderson, Commissioner

\_\_\_\_\_  
Don Munks, Commissioner

ATTEST:

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