

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY COMMISSIONERS
MONDAY, AUGUST 9, 2004**

- 9:30 a.m. – 9:45 a.m. Approval of the Final Plat of Presentin Ranch (PL00-0853), a Planned Unit Residential Development
- *T 10:00 a.m. – 11:00 a.m. Public Hearing – Proposed Extension of Interim Ordinance No. O20030026, as Modified and Extended by Interim Ordinance No. O20040005, Implementing Interim Development Regulations Within the Unincorporated Urban Growth Areas of Anacortes, Burlington, Mount Vernon and Sedro-Woolley
- 11:00 a.m. – 11:30 a.m. Consent Agenda and Miscellaneous Items
- 11:30 a.m. – 11:45 a.m. Public Comment Period
- 11:45 a.m. – 12:00 p.m. Approval of the Final Plat of Red Tail Flats (PL03-0016), and Mountain View Meadows (P97-0082)
- 1:15 p.m. – 1:30 p.m. Discussion/Possible Action – Resolution and Interlocal Cooperative Agreement with the Skagit Conservation District
- *T 1:30 p.m. – 3:00 p.m. Planning & Permit Center - Lou Haff, Interim Director
 1. Post-Hearing Deliberations and Possible Action – Fee Schedule and Revenue Recovery
 2. Skagit County Planning & Permit Center Reorganization Overview – Planning Department Client/Customer Advisory Board
 3. Discussion/Possible Action – 2005 GMA Update Contract and Phases 2-6, Scope of Work
 4. Miscellaneous
- *T 3:00 p.m. – 4:00 p.m. Public Works – Chal Martin, Director
 1. County Support for Marine Ecology Day, September 11, 2004
 2. Discussion – Samish Island Road Dike Repair Project
 3. Discussion – South Fork Bridge Deck Repair Project
 4. Discussion – Town of Concrete – Dillard Avenue
 5. Discussion – Town of Hamilton Relocation
 6. Discussion – FERC Baker Relicensing
 7. Miscellaneous
- 4:00 p.m. – 4:30 p.m. Work Session – Operations Division Manager/Road District Maintenance Supervisors

The Skagit County Board of Commissioners met in regular session on Monday, August 09, 2004, with Commissioners Ted W. Anderson and Kenneth A. Dahlstedt present. Commissioner Don Munks' absence was excused.

APPROVAL OF THE FINAL PLAT OF PRESENTIN RANCH (PL00-0853), A PLANNED UNIT RESIDENTIAL DEVELOPMENT.

Brent Morrow, Senior Planner with the Planning & Permit Center, said the proposed project is located immediately west of Wilderness Village Planned Unit Residential Development (PURD), Divisions 1-3, also known as Skagit View Village. The applicant, Jerry Hammer, for H & H Investments, is requesting final plat approval of Presentin Ranch Subdivision, Divisions 4-14 of Wilderness Village PURD.

**RECORD OF THE PROCEEDINGS
MONDAY, AUGUST 9, 2004
PAGE NO. 2**

Commissioner Dahlstedt motioned to approve the final plat of Pressentin Ranch, PL00-0853, as outlined by Mr. Morrow. Chairman Anderson seconded the motion, which carried.

**PUBLIC HEARING – PROPOSED EXTENSION OF INTERIM ORDINANCE NO. 020030026,
AS MODIFIED AND EXTENDED BY INTERIM ORDINANCE NO. 020040005,
IMPLEMENTING INTERIM DEVELOPMENT REGULATIONS WITHIN THE
UNINCORPORATED URBAN GROWTH AREAS OF ANACORTES, BURLINGTON, MOUNT
VERNON AND SEDRO-WOOLLEY.**

Interim Planning & Permit Center Director, Lou Haff, introduced Assistant Director, Gary Christensen, who outlined the proposed extension of Interim Ordinance No. O20040005. Mr. Christensen said this ordinance, implementing interim development regulations within the unincorporated Urban Growth Areas (UGAs) of the cities of Anacortes, Burlington, Mount Vernon and Sedro-Woolley expires on August 23, 2004.

The Growth Management Hearings Board, in its most recent order in Case No. 03-2-0013c, directed the County to take action by August 3, 2004, to adopt “measures to prevent non-rural levels of development during the compliance period.” The County must report to the Hearings Board on those adopted measures by August 16, 2004. The County is then required by December 15, 2004, to adopt permanent development regulations that “ensure development at urban densities with concurrent urban infrastructure and transformance of governance within the UGAs.”

Mr. Christensen indicated that staff has met with the County’s city and town peers to chart out a path with which to proceed. They have agreed to meet every other week in order to seek measures that everyone can agree on. Mr. Christensen said he will make sure to keep the Board apprised as to the progress that is being made.

Senior Planner, Kirk Johnson, said that written comments have been received from the cities of Burlington and Anacortes. He stated that this proposal would extend the existing interim ordinance another six months. It also contains amendments to:

1. Allow for the placement on lots within the Urban Reserve Residential district of one temporary manufactured home to accommodate the housing needs of disabled or elderly family members.
2. Require that mobile homes and manufactured housing units in the unincorporated UGAs, which are not installed on a temporary basis, comply with regulations relating to the date and standards of construction, size of the unit, and design and construction materials.
3. Allow, through an Urban Development permit process administered by Skagit County, development inside the unincorporated UGAs at smaller lot sizes and greater intensities than would otherwise be allowed, provided the proposed development:
 - a) addresses city requirements regarding sanitary sewer and future annexation; and
 - b) covers traffic impact mitigation costs or constructs improvements in lieu of payments.

Chairman Anderson opened the public hearing.

Dave Rudy, 16596 South Wall Street, Mount Vernon, addressed a specific issue with regard to a piece of property in his neighborhood. He said the property exceeds five acres, and he is concerned that it could potentially be divided and made into a residential development.

Lacy Lahr, representing the City of Sedro-Woolley, said the City supports the extension of the proposed ordinance and also support the modifications being proposed by the City of Mount Vernon.

Representing the City of Mount Vernon was Rebecca Bradley, who summarized the changes requested for the proposed extension of the interim Urban Growth Area Ordinance. She said the City, for the most part, supports the proposed changes.

RECORD OF THE PROCEEDINGS
MONDAY, AUGUST 9, 2004
PAGE NO. 3

Robert Hilton, 21032 Little Mountain Road, Mount Vernon, said he is concerned that the proposal, designed to allow people to develop their property without being annexed, would end up forcing them to hook up to sewer lines. He added that he's not opposed to development as long as it doesn't impact the neighbors.

There being no further public testimony, Commissioner Dahlstedt motioned to close the public hearing, which was seconded by Chairman Anderson. The public hearing was closed.

The Board will render their decision on this matter on Monday, August 16, 2004, at 1:30 p.m.

CONSENT AGENDA.

Commissioner Dahlstedt motioned to approve the Consent Agenda for Monday, August 09, 2004, items 1 through 7 and items 9 through 16. Chairman Anderson seconded the motion, which passed. Item 8 was removed from the agenda pending further information.

COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Monday, August 2, 2004.
2. Resolution appointing Cynthia Pugh to the Darrington Library District Board of Trustees, effective February 20, 2004 and continuing through February 19, 2009. **(Resolution No. R20040276)**

ADMINISTRATIVE SERVICES:

3. Letter to the Boundary Review Board regarding a Notice of Intention, File No. 04-09, City of Mount Vernon Annexation (Woodmansee). **(Approved)**

ASSIGNED COUNSEL:

4. Personal Services Agreement with Paula Plumer, Attorney at Law, to provide indigent defense representation for conflict-of-interest cases. The agreement shall commence on July 1, 2004 and continue through July 30, 2005. Compensation shall range from \$55 per hour to \$75 per hour, depending on the services that are being provided. **(Contract No. C20040355)**
5. Personal Services Agreement with Joseph Reyes, Attorney at Law, to provide indigent defense representation for conflict-of-interest cases. The agreement shall commence on July 1, 2004 and continue through July 30, 2005. Compensation shall range from \$55 per hour to \$75 per hour, depending on the services that are being provided. **(Contract No. C20040356)**

BUDGET AND FINANCE:

6. Amendment No. 1 to Memorandum of Agreement **No. C20040183** with the Skagit County Chamber Directors Association, which awards an additional \$10,000, from hotel/motel funds to promote Skagit County tourism. All other terms and conditions of the original agreement shall remain in effect. **(Amendment No. A20040152)**

FACILITIES MANAGEMENT:

7. Standard Form of Agreement with Ebenal General, Inc. for the Skagit County Courthouse/Administration Building HVAC improvements. The agreement shall commence on the date of execution and continue for 60 days. Compensation shall total the Contractor's low bid of \$149,000. **(Contract No. C20040357)**

**RECORD OF THE PROCEEDINGS
MONDAY, AUGUST 9, 2004
PAGE NO. 4**

FARMLAND LEGACY PROGRAM:

8. Conservation Easement granted by Rick L. and Shelley D. Holt to Skagit County. The easement will permanently protect 28.8 acres of farmland located near Bow. Compensation is not being paid as the property will be part of a short plat. **(This item was removed pending further information)**

HUMAN SERVICES:

9. Amendment No. 2 to Personal Services Agreement **No. C20030398** with Compass Health, which deletes the allocation of \$125 for Child Care Services from the contract. The Contractor has found that there is no need for these services for the Substance Abuse Co-Occurring Disorders Treatment Program. Therefore, the contract total is reduced from \$77,408 to \$77,283. All other terms and conditions of the original contract, including Amendment No. 1, shall remain in effect. **(Amendment No. A20040153)**

PLANNING & PERMIT CENTER:

10. Resolution re-appointing Carol Ehlers to the Skagit County Planning Commission for a period of four years, beginning September 26, 2004 and expiring on September 25, 2008. **(Resolution No. R20040277)**

YOUTH & FAMILY SERVICES:

11. Personal Services Agreement with Chinook Enterprises to provide vocational services for offenders and at-risk youth of Skagit County. The agreement shall commence on August 2, 2004 and continue until August 31, 2006. Compensation shall not exceed a maximum annual amount of \$2,500. **(Contract No. C20040358)**
12. Personal Services Agreement with Lynn Swiatkowski, MSW., LICSW, to provide specialized child, adolescent, adult and/or family assessment, evaluation and treatment for those clients that are referred by the County. The agreement shall commence on July 1, 2004 and continue until June 30, 2006. Compensation is not to exceed a maximum annual amount of \$10,000. **(Contract No. C20040359)**
13. Personal Services Agreement with Susan Radkins, M.A., to provide specialized child, adolescent, adult and/or family assessment, evaluation and treatment for those clients that are referred by the County. The agreement shall commence on July 1, 2004 and continue until June 30, 2006. Compensation is not to exceed a maximum annual amount of \$10,000. **(Contract No. C20040360)**

PUBLIC WORKS:

14. Resolution requesting proposals for the Cockreham Buy-Out Feasibility Study. **(Resolution No. R20040278)**
15. Personal Services Agreement with Financial Consulting Solutions Group, Inc. to identify stable funding options for ongoing and mandated County environmental and water quality programs. The agreement shall commence on July 23, 2004 and continue through September 30, 2005. Compensation is not to exceed a total of \$59,980. **(Contract No. C20040361)**
16. Resolution AND Construction Contract with Intrastate Painting Corporation for the 2004 Bridge Project, which consists of the maintenance cleaning and painting of the North Fork Bridge, No. 40037 and the Dalles Bridge, No. 40090. The agreement shall commence on the date of execution and continue for 55 working days. Compensation is being paid at the low bid of \$526,000. **(Resolution No. R20040279 AND Contract No. C20040362)**

**RECORD OF THE PROCEEDINGS
MONDAY, AUGUST 9, 2004
PAGE NO. 5**

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, August 9, 2004, the Board by majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

ACH Transfer Request Form and Certification to Premera Blue Cross from Clearing Fund 696 in the total dollar amount of \$44,699.20 (Transmittal No. C-101-04); and

Warrants numbered 176352 through 176906 from Clearing Fund 696 in the total dollar amount of \$4,770,293.70 (Transmittal No. C-102-04); and

ACH Transfer Request Form and Certification to Premera Blue Cross from Clearing Fund 696 in the total dollar amount of \$60,759.46 (Transmittal No. C-103-04); and

Warrants numbered 176907 through 176967 from Clearing Fund 696 in the total dollar amount of \$112,582.40 (Transmittal No. C-104-04); and

Payroll warrants numbered 963651 through 963796 in the total dollar amount of \$174,459.76 (Transmittal No. P-29-04); and

Payroll warrants numbered 150003 through 151067 in the total dollar amount of \$1,098,144.89 (Transmittal No. P-30-04).

PUBLIC COMMENT PERIOD.

No one was present for the public comment period.

APPROVAL OF THE FINAL PLAT OF RED TAIL FLATS (PL03-0016), AND MOUNTAIN VIEW MEADOWS (PL97-0082).

Brandon Black of the Planning & Permit Center, stated that this is a final plat approval request, No. PL03-0016, by John Raby for the creation of a nine lot Conservation and Reserve Development (CaRD) Land Division on approximately 45.5 acres. The proposed project is located at the north end of Emily Lane and west of Bay-View Elementary School.

Marietta Karr, 1425 NW 61st Street, Seattle, said she owns property near the project and is concerned about debris left on her land by the creation of Red Tail Flats. She would like them to clean up the debris before the final plat approval is signed.

The Board indicated that Ms. Karr's property is private; therefore, they have no jurisdiction over an agreement between a proposed buyer and a property owner, whereby delaying the plat.

Commissioner Dahlstedt motioned to approve the Red Tail Flats CaRD Land Division, No. PL03-0016, as outlined by Mr. Black. Chairman Anderson seconded the motion, which carried.

Mr. Black next discussed a final plat approval request, No. PL97-0082, by George Theodoratus for the creation of a six lot land division on approximately 35.44 acres. The proposed project is located at 46003 Sauk Valley Road in Concrete.

Commissioner Dahlstedt motioned to approve the Mountain View Meadows Land Division, No. PL97-0082, as outlined by Mr. Black. Chairman Anderson seconded the motion, which carried.

DISCUSSION/POSSIBLE ACTION – RESOLUTION AND INTERLOCAL COOPERATIVE AGREEMENT WITH THE SKAGIT CONSERVATION DISTRICT.

Natural Resource Policy Administrator, Tom Karsh, spoke about a Resolution and Interlocal Agreement with the Skagit Conservation District to support wildland fire prevention activities and projects in the Marblemount area. He said he would like the Board to delay any action on these items because if the County intends to use RAC Title III monies for this contract, there is a 45-day public comment period that is required.

Mr. Karsh stated that when this proposal was being considered by the RAC, it was being reviewed under Title II criteria. It was never seriously considered by them because it seemed to be a better fit under Title III and the County had unspent Title III monies that could be used.

Chairman Anderson said this project fits exactly with the intended use of Title III funds.

Carolyn Kelly, Skagit Conservation District, said she looks forward to working with landowners to reduce the risk of loss of life or property in the event of a wildfire.

Mr. Karsh said the recommendation is to postpone any action on this proposal until the 45-day comment period is over. The Board agreed to the recommendation.

PLANNING & PERMIT CENTER – LOU HAFF, INTERIM DIRECTOR

1. Post-Hearing Deliberations and Possible Action – Fee Schedule and Revenue Recovery.

Planning & Permit Center Director, Lou Haff, said this fee schedule is the work product of Planning, Health Department, and Public Works. This topic has been the subject of numerous inter-departmental meetings, workshops, public meetings, and a public hearing. In Mr. Haff's opinion, there are two important business perspectives that he asked to share with the Board. The most valuable business tool for Skagit County is having the fee schedule linked so that the cost of the fee to the applicant is a direct function of the cost of providing the services required by the application. The current fee schedule is not linked in that manner. By establishing this link, it would provide the Board with the opportunity to review the same topic in future years, possible annually, to easily balance the fees, which would maintain equity between permit types for the applicants.

Mr. Haff said the second most valuable tool is a policy tool. This would allow the Board to set the ratio of cost recovery at any level they deemed appropriate based on the current financial climate of the County. With the fee structure in place, the Board would need to instruct the departments as to what ratio of recovery they desire and then the fees would automatically be set accordingly. Mr. Haff said he assumes the departments would periodically analyze the actual costs and recommend changes to insure that the fee structure is accurate. He also said he assumes that the Planning Department will be implementing improvements to its cost accounting system to create project level project codes for cost accrual.

Mr. Haff said he recommends adopting the fee structure and then separately addressing the ratio of recovery. The current ratio of recovery is approximately 38%, which means that more than 60% of permit fees in this County are subsidized by the general fund. He feels the financial future of Skagit County will be challenged. By having this plan in place, it will enable the Board to think more accurately about user fees. This proposal recommends a 75% cost recovery. Mr. Haff said if the Board felt that 75% was too much in one bite, then they could consider a plan to adopt the fee schedule in lesser increments.

Commissioner Dahlstedt commented that he would like more time to think about the proposal. He feels that if the fee schedule is implemented, he would like to see it take effect at the beginning of the year.

Chairman Anderson said the County can't continue to subsidize activities of the Planning Department out of the general fund. He said he likes the idea of structuring the fees based on the service being provided.

Chairman Anderson also would like to see the fee spread out over three years so that it doesn't have such a negative impact on the public. He suggested postponing a decision on this issue until Commissioner Munks can weigh in on it.

Mr. Haff said he would come on a future date in front of the entire Board with a Resolution and fee structure predicated on a three-year plan to achieve a 75% cost recovery ratio.

2. Skagit County Planning & Permit Center Reorganization Overview – Planning Department Client/Customer Advisory Board.

Mr. Haff spoke to three elements of the reorganization of the Planning & Permit Center. The first being organizational structure, the second to the development of a Customer Advisory Board for the Department and thirdly, the making of a definitive recommendation for filling the leadership positions of the Department. He said he has spent the last seven and a half months reviewing the Planning & Permit Center as to organization, function, staffing and work loads. He has also performed research into the state of the art as to organization and planning functions around the United States. Upon review of that work, Mr. Haff is of the opinion that there is a current theme in Planning in the United States that responds almost precisely to the very issues that were brought to his attention when the Board hired him. He has accordingly developed a reorganization scheme that incorporates the Board's concerns and addresses their solution.

Mr. Haff distributed a copy of his reorganization plan and pointed out that the new business mantra for this organization shall be focused on projects, not permits. He spoke about the creation of a committee to advise the Department Head on business in general. This committee is now formed and partly chaired with four members of the community, including Louie Requa, Wayne Crider, Bill Vaux and Bruce Lisser, all of whom recommend the reorganization concept and want to work with this implementation to help insure workable solutions. As part of this plan, Mr. Haff also recommends a leadership team, composed of a Director and Deputy Director position. He said the Department would benefit dramatically by having a two-person team managing the total work load. Mr. Haff continued to review the remainder of the reorganization chart.

Mr. Haff presented Gary Christensen as his recommendation for the Director of the Planning & Permit Center and Oscar Graham as Deputy Director. He said they are both extremely qualified by virtue of education and experience; they are both local people; have worked here collectively for over 36 years serving Skagit County, state agencies and the public sector; and have a commitment to planning, in general.

Commissioner Dahlstedt said Mr. Haff's recommendations make a lot of sense and he thanked him for providing strong direction. He said he supports this process and Chairman Anderson agreed, saying he is particularly excited about the development review teams. They emphasized that the goal of this reorganization is to provide better service.

3. Discussion/Possible Action – 2005 GMA Update Contract and Phases 2-6, Scope of Work.

Mr. Christensen said the Washington State Legislature recently passed legislation that requires the counties, and the cities and towns within, to review and update their locally adopted Comprehensive Plans and development regulations to assure compliance with the Growth Management Act (GMA), which must be done every seven years. Skagit County's update is to be completed by December 2005.

Mr. Christensen discussed a draft Personal Services Agreement with Berryman & Henigar, Inc. for Phases 2 through 6 of the County's work program update, with a total cost in the amount of \$312,800. It is anticipated that approximately \$103,000 will be spent this year for which professional services funds already exist. Of the remaining balance, approximately \$210,000 is to be spent in calendar year 2005. The Department's 2005 submitted budget requests the later amount be provided for professional services next year. The County will receive a \$50,000 grant from the State to offset these costs.

**RECORD OF THE PROCEEDINGS
MONDAY, AUGUST 9, 2004
PAGE NO. 8**

Roger Wagoner, from Berryman & Henigar, was introduced and Mr. Christensen said that recently, Mr. Wagoner was selected by the Fidalgo Island Citizen Advisory Committee to assist the County with the Fidalgo Island subarea planning process. Mr. Wagoner said the scope of work for this project has been modified, which reduced the actual contract amount to \$308,300.

Chairman Anderson said it is his hope in embarking on this project that the County will produce a product that will withstand public review and reflect what is happening throughout the area, and Commissioner Dahlstedt concurred.

4. Miscellaneous.

Mr. Haff said new regulations are being proposed by the Department of Natural Resources and he would like to review them with the Board in the near future.

PUBLIC WORKS – CHAL MARTIN, DIRECTOR

1. County Support for Marine Ecology Day, September 11, 2004.

Ric Boge of the Public Works Department stated that a citizens' group in Anacortes, calling itself the Anacortes Community Maritime Center (ACMC) is spearheading an effort to host a Marine Ecology Day in September. The family-oriented event is supported by the Skagit Marine Resources Committee and is intended to attract residents from throughout the County. The event will have educational activities for children as well as informational presentations and displays for adults.

Mr. Boge said ACMC is seeking sponsors for this event to help defray expenses that will be incurred. So far, they have raised about \$1,500 of the approximately \$2,000 that they expect to spend. Sponsors are asked to contribute a minimum of \$200 and Mr. Boge would like to request that the County allocate this amount and become an official sponsor for this event.

Commissioner Dahlstedt motioned to support Marine Ecology Day with the contribution of \$200, which was seconded by Chairman Anderson. The motion was carried.

2. Discussion – Samish Island Road Dike Repair Project.

Public Works Director, Chal Martin, said this item will be discussed at such a time when Commissioner Munks can be in attendance.

3. Discussion – South Fork Bridge Deck Repair Project.

Barb Hathaway of the Public Works Department spoke about the South Fork Bridge Deck Overlay Project. She indicated that the bridge deck has many failing patches and old repairs that are difficult to maintain. The County applied for and received federal bridge maintenance funding to repair and overlay the South Fork Bridge. She asked the Board to decide whether the project should be done in October 2004 or March 2005. Ms. Hathaway indicated that the bridge would have to be closed entirely so that the concrete has a chance to cure.

Chairman Anderson and Commissioner Dahlstedt both agreed that the project should be done in October 2004 and asked Ms. Hathaway to proceed with the process.

4. Discussion – Town of Concrete – Dillard Avenue.

Mr. Martin said the Henry Thompson Bridge Rehabilitation project is nearly complete and Main Street in the Town of Concrete is still torn up. There is a short stretch of Dillard Avenue linking the east end of Main Street with the bridge, which has worn pavement and poor or no sidewalks. Snelson Companies, Inc. is currently under contract with Skagit County, performing work on the Main Street Reconstruction Project. While the contractor is in the area, Mr. Martin said he is recommending that Dillard Avenue

RECORD OF THE PROCEEDINGS
MONDAY, AUGUST 9, 2004
PAGE NO. 9

receive an asphalt overlay, installation of a curb, gutter and a sidewalk along the east side of the street and the installation of two catch basins. In addition, the street on the east side of the bridge requires some leveling and asphalt overlay for approximately 275 feet. The estimate to complete this work is in the neighborhood of \$100,000.

Mr. Martin indicated that the Town of Concrete has no money to pay for this work; however, if the Board was agreeable, the County could front the funds now and then arrange partial repayment from the Town through its future allocation of Surface Transportation funding.

Chairman Anderson said he would like to see the project completed and Commissioner Dahlstedt concurred.

5. Discussion – Town of Hamilton Relocation.

Public Works Administrator, Dave Brookings, discussed project management for the relocation of the Town of Hamilton. He said he has been meeting with Margaret Fleek, a Planner with the City of Burlington, Attorney Pat Hayden, with the City of Sedro-Woolley, and Skagit County Budget/Finance Administrator, Trisha Logue, to talk about the long-term vision of moving the Town, following the flooding events of 2003. Mr. Brookings said Ms. Fleek and Mr. Hayden have put in a great deal of time and effort to secure grant monies for this project. One grant, in the amount of \$294,000, would be used to purchase four repetitive-loss properties. Two additional grants totaling \$67,000 would be used to find opportunities to purchase land lying north of Highway 20.

Mr. Brookings said the vision is to create a Public Development Authority (PDA), a government corporation that could purchase the necessary land. Once that land is incorporated into the Town, people who live in the floodway would be able to transfer development rights into the new area. The range of the authority would exceed the Town's limits so the entire County would have to be incorporated. This would allow development rights to be transferred, not only for properties lying within Hamilton's city limits, but for all floodway at-risk properties in the County. Mr. Brookings indicated that Hamilton would not only like the County to act as the fiscal agent for managing these grants, but is also soliciting the County's participation in creating the PDA.

Chairman Anderson said he has concerns about Skagit County being the fiscal agent for the project. The County is not necessarily opposed to that role; however, the agreement would have to be crafted carefully. "If you are being the fiscal agent and are responsible for the grant, but you aren't in the decision making role as to how those monies are being spent, then you have no authority to make decisions," stated Chairman Anderson.

Commissioner Dahlstedt agreed and stated that he has had contact with the staff of several congressional representatives who have indicated that they would like to see the County serve in a lead role in overseeing this project.

6. Discussion – FERC Baker Relicensing.

Mr. Martin said the Public Works Department staff and Puget Sound Energy (PSE) are working to achieve an Interim Memorandum of Agreement as an incremental step to achieve additional flood control in the new FERC license. He said the County and PSE agree in principal but are having problems agreeing on the language. Mr. Martin said he and Commissioner Dahlstedt have a meeting with PSE tomorrow in Bellevue and he hopes that continued progress can be made.

7. Miscellaneous.

There were no miscellaneous items to discuss.

**RECORD OF THE PROCEEDINGS
MONDAY, AUGUST 9, 2004
PAGE NO. 10**

ADJOURNMENT.

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

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Ted W. Anderson, Chairman

Don Munks, Commissioner

Kenneth A. Dahlstedt, Commissioner

ATTEST:

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