

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
WEDNESDAY, JULY 5, 2006**

- 8:00 a.m. – 8:45 a.m. Work Session – County Commissioners
- 8:45 a.m. – 9:30 a.m. Work Session – County Administrator
- *T 10:00 a.m. – 11:00 a.m. Public Works Department – Chal Martin, Director
1. Public Hearing – Consideration of Vacation of County Road Known as Cherry Street, No. 06560, in Clear Lake
 2. Discussion/Possible Action – Letter of Agreement With Public Utility District No. 1 For Construction of a Pumping Facility at the Skagit River Aerial Crossing South of Sedro-Woolley
 3. Discussion – Bay View Watershed Storm Water Management Plan/Bay View Sub-Area Plan
 4. Discussion – Stewart Historical Flood Peak Validation Study With Northwest Hydraulic Consultants
 5. Discussion – Partnership Proposal to Widen Highway 9 Bridge at Big Rock
 6. Miscellaneous
- 11:00 a.m. – 11:30 a.m. Consent Agenda and Miscellaneous Items
- 11:30 a.m. – 11:45 a.m. Public Comment Period
- 1:30 p.m. – 3:30 p.m. Executive Session – Personnel, Litigation and Land Acquisition

The Skagit County Board of Commissioners met in regular session on Wednesday, July 5, 2006, with Commissioners Kenneth A. Dahlstedt and Don Munks present. Commissioner Ted W. Anderson's absence was excused.

PUBLIC WORKS DEPARTMENT – CHAL MARTIN, DIRECTOR

1. Public Hearing – Consideration of Vacation of County Road Known as Cherry Street, No. 06560, in Clear Lake.

Burton Reanier, Project Development, stated that Cherry Street #06560 is in Clear Lake, which is 264 feet long, with 60 feet of right-of-way. The Community Covenant Church has property on both sides of Cherry Street and would like to utilize the right-of-way in between the properties.

Mr. Reanier said the Department recommends that said portion of right-of-way be vacated to the adjacent property owners for reasons stated below:

- There are other roads of equal utility for public use. Property owners can access their properties using Post Street and Bartl Avenue on either side of Cherry Street and Main Street between Post and Bartl.
- Neighboring residents have agreed to this vacation.
- Skagit County Fire Protection District 4 states the closing of Cherry Street will not impact the fire protection of this area.
- The Clear Lake Elementary School does not oppose the vacation.

Chairman Dahlstedt opened the public hearing.

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Morris Neilson, 23145 Gunderson Road, Mount Vernon, representing Community Covenant Church, said it is the desire of the Church to not only make a permanent home for the food bank, but to expand the church as well by way of this vacation.

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

Commissioner Munks motioned to accept the vacation of County Road Cherry Street #06560 in Clear Lake. The motion was seconded by Chairman Dahlstedt and passed.

A resolution will be brought forth for signature at a later date.

2. Discussion/Possible Action – Letter of Agreement With Public Utility District No. 1 For Construction of a Pumping Facility at the Skagit River Aerial Crossing South of Sedro-Woolley.

Janice Marlega, Assistant Public Works Director, presented a letter of agreement between Skagit County and Public Utility District (PUD) No. 1 of Skagit County. PUD has plans to construct a pumping facility located at their aerial crossing of the Skagit River, south of Sedro-Woolley.

According to Ms. Marlega, there are restrictions at this location that limit placement of the pumping facility. The pump house structure will be placed such that it encroaches on County road right-of-way (South Skagit Highway), being approximately 12 feet from the traveled roadway. This letter of agreement is in lieu of granting additional right-of-way at this time.

A motion was made by Commissioner Munks to approve the letter of agreement as outlined by Ms. Marlega. Chairman Dahlstedt seconded the motion, which carried. **(Contract No. C20060296)**

3. Discussion – Bay View Watershed Storm Water Management Plan/Bay View Sub-Area Plan.

Ric Boge, Surface Water Manager, made a request for Board approval to de-couple the Bay View Ridge Stormwater Management Plan from the Bay View Subarea Plan and instead focus on drainage issues related to the Subarea component.

Mr. Boge explained that Public Works initially embarked in 2002 on the Bay View Ridge Stormwater Management Plan with the goal of cost-efficient stormwater management through cooperation and proactive planning to the benefit of all parties – Drainage Districts, the County Drainage Utility and developers.

In March of 2005, the Stormwater Plan became linked to the Bay View Subarea Plan by a recommendation to the Board from the Planning Commission, which conditioned adoption of the Subarea Plan to adoption of the Stormwater Plan. The proposed Bay View Subarea takes up a small portion of the total drainage basin covered by the Stormwater Plan. Complying with the Growth Management Act (GMA) only requires identifying impacts and recommended solutions for drainage from future development within the boundaries of Urban Growth Areas.

Public Works requests the Board's concurrence to shift their short-term focus to the drainage needs specifically related to the proposed Subarea in order to develop a drainage mitigation strategy for the Subarea that will satisfy GMA, and justify the Board's approval of the proposed Subarea Plan. The proposal is to amend Public Works' engineering consultant's contract to have a drainage plan drafted pursuant to a scope of work specifically for the Subarea by October 2006 and finalized by year's end.

Mr. Boge stated that over the long term, the Stormwater Plan continues to move forward, albeit more slowly than hoped. The drainage plan developed for the proposed Subarea will be incorporated into the Stormwater Plan for the total basin and the engineering consultant will give additional consideration to

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alternative improvements that are more affordable to meet the drainage needs of the total basin as much as possible. This work is also expected to be completed by the end of the year. In concert with affected Drainage Districts, the County's financial consultant is continuing to develop alternative methods for cost sharing acceptable improvements and eventually to be utilized in formal, interlocal agreements between the County and the Districts.

Mr. Boge went on to say that although the Department has high confidence in the work by their consultants and their recommended solutions, they don't have the authority to force the affected Drainage Districts to join them and follow those recommendations. The County can only continue to involve the affected Districts in the development of the Stormwater Plan and the work of our financial consultant.

It is unfair to hold up the legitimate rights of the development interests in the proposed Bay View Subarea because of drainage issues outside the proposed Subarea. Therefore, Public Works requests to de-couple the Stormwater Plan from the Subarea Plan.

Commissioner Munks said he wanted to make sure all three Commissioners are present to discuss the issue and come to a finalization. Therefore, this issue will be brought back before the Board for a decision on Monday, July 10, 2006, at 9:00 a.m.

Planning and Development Services Director Gary Christensen said ongoing discussions have taken place on this subject for the better part of a year. Mr. Christensen said his Department is supportive of this approach to address the stormwater management-related issues at Bay View Ridge as part of the Subarea planning process. This de-coupling makes logical, comprehensive and timely sense in terms of moving this process forward.

Mr. Christensen noted that on Tuesday, July 11, 2006, at 10:00 a.m., this matter will also be on Planning and Development Services agenda in which there will be discussion and possible action on the Bay View Ridge Subarea Plan.

4. Discussion – Stewart Historical Flood Peak Validation Study With Northwest Hydraulic Consultants.

Public Works Director Chal Martin updated the Commissioners on continued discussions with Northwest Hydraulic Consultants (NHC). They have been hired to conduct the Stewart Historical Flood Peak Validation Study and pursue reducing the uncertainty of the historical flood data points.

According to Mr. Martin, NHC have interviewed staff from United States Geographical Survey, Pacific National Engineering, United States Army Corps of Engineers and with the Federal Emergency Management Agency, as they are interested in an objective approach.

Public Works staff will work with NHC to develop a comprehensive scope of work for the next phase of the project. Once the statement of work is complete, it will be circulated among the cities and dike districts to make the County's intentions known. Mr. Martin said the County will then move ahead, based on a wide range of feedback.

5. Discussion – Partnership proposal to Widen Highway 9 Bridge at Big Rock.

Mr. Martin spoke to the Commissioners about a possible partnership project with the City of Mount Vernon, the City of Sedro-Woolley and Washington State Department of Transportation. The project would consist of using a bridge consultant already under contract with Public Works to check the feasibility, cost and development of a concept for widening the Highway 9 Bridge at Big Rock.

The Commissioners agreed that it is a good idea and one that should be looked into.

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Commissioner Munks motioned to direct the Public Works Department to access its bridge consultant to research the feasibility, cost and development of a concept to widen the Highway 9 Bridge near Big Rock. The motion was seconded by Chairman Dahlstedt and passed.

6. Miscellaneous.

There were no miscellaneous Public Works items to discuss.

CONSENT AGENDA.

Commissioner Munks motioned to approve the Consent Agenda for Wednesday, July 5, 2006, items 1 through 10. Chairman Dahlstedt seconded the motion, which carried.

COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Monday, June 26, 2006.
2. Record of the Proceedings for Tuesday, June 27, 2006.

ADMINISTRATIVE SERVICES:

3. Resolution to fill the position vacated by George Allen and appointing Julie Erickson to the Upper Skagit Library District Board of Trustees. The term expires on December 31, 2006. **(Resolution No. R20060217)**

HEALTH DEPARTMENT:

4. Interlocal Agreement with the Snohomish Health District, which provides funding for continuation of grant "Region 3 Aids Service Network" the agreement shall commence on January 1, 2006, and be completed on December 31, 2006. Compensation shall not exceed \$65,151. **(Contract No. C20060297)**

HUMAN SERVICES:

5. Resolution re-appointing Karen Peterka to serve another three year term from June 16, 2006, through June 15, 2009, on the Skagit County Substance Abuse Board. **(Resolution No. R20060218)**
6. Resolution re-appointing Joan Lubbe to serve another three year term from July 10, 2006, through July 9, 2009, on the Skagit County Substance Abuse Board. **(Resolution No. R20060219)**

SHERIFF'S OFFICE:

7. Resolution declaring Extendo Bed Company the sole source provider for extended vehicle beds at the Skagit County Sheriff's office. **(Resolution No. R20060220)**

PUBLIC WORKS DEPARTMENT:

8. Resolution awarding the Solid Waste Transfer Station Building (Roof) Repair Project to Mobile Fabricators LLC for the low bid amount of \$53,950. **(Resolution No. R20060221)**
9. Local Agency Standard Consultant Agreement with Bayview Surveying, Inc. for on-call surveying and engineering services. The contract shall commence upon the date of execution and continue until May 1, 2008. Compensation shall not exceed \$75,000. **(Contract No. C20060298)**

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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, July 5, 2006, 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 \$118,911.12 (Transmittal No. C-76-06); and

Warrants numbered 227125 through 227343 from Clearing Fund 696 in the total dollar amount of \$541,650.53 (Transmittal No. C-77-06).

PUBLIC COMMENT PERIOD.

No one was present for the public comment period.

ADJOURNMENT.

Commissioner Munks made a motion to adjourn the proceedings. Chairman Dahlstedt 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