

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
TUESDAY, FEBRUARY 6, 2007**

TUESDAY, FEBRUARY 6, 2007:

- *T 8:15 a.m. – 8:30 a.m. Presentation - Guardian At Litem Title 13 Funding
- *T 8:30 a.m. – 9:00 a.m. Update of Skagit Marine Resources Committee Activities
- *T 9:00 a.m. – 10:00 a.m. Public Works Department – W. Eugene Sampley, Interim Director
1. Public Hearing: Regarding consideration of vacation of a portion of unopened county right-of-way at the north end of Jura Lane in the plat of Gibraltar Annex in Similk Beach
 2. Discussion: Funding partnership for installation of SR20 left turn pocket just west of Concrete
 3. Discussion: Blanchard BNSF Railroad quiet zone
 4. Discussion/possible action: Revision No. 1, 2007 Annual Construction Program
 5. Discussion: Review of Public Comments Received at the January 16, 2007 Open House for Best/Mclean Intersection Improvement Project
 6. Miscellaneous
- *T 10:00 a.m. – 10:30 a.m. Decision - Closed Record Appeal No. PL06-1089 by Skagit Citizens Alliance for Rural Preservation (SCARP) and Friends of Skagit County (FOSC) of the Hearing Examiner's Decision on Appeal No. PL06-0066 of Administrative Special Use Permit No. PL05-0580 filed by Skagit County Public Utility District #1 for the Installation of Approximately Five Miles of Water Conveyance Infrastructure to Reduce Further Degradation of Instream Flows in the Samish and Lower Skagit Rivers by providing Potable Water to Existing Development and Future Growth.

10:30 a.m. – 10:45 a.m.: Bid Opening: Rental Equipment with Annual Expenditures over \$25,000

The Skagit County Board of Commissioners met in regular session on Tuesday, February 6, 2007, with Commissioners Sharon D. Dillon, Don Munks, and Kenneth A. Dahlstedt present.

PRESENTATION - GUARDIAN AT LITEM TITLE 13 FUNDING

Presiding Judge, Michael E. Rickert, made a presentation before the Board regarding Guardian At Litem (GAL) Title 13 Funding. Judge Rickert stated Skagit County Superior Court has been contracting with Northwest Family and Children's Service since 2002.

Judge Rickert went on to say, in order to comply with statutory GAL registry requirements and to provide coverage for the current caseload of more than 300 children, Northwest Family & Children Services will need to increase by two GALs. Judge Rickert requested an emergency transfer of funds in the amount of \$126,720 to renegotiate the contract with Northwest Family & Children's Services. Judge Rickert informed the Board the transfer of funds would bring the contract from \$107,500 to \$234,220 and add two additional GALs.

Commissioner Dahlstedt asked what other counties were doing to comply with the RCW compliance and the Title 13 guardian ad litem program.

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Judge Rickert stated Whatcom County is going through the same dilemma as Skagit County, Island County and San Juan County have a Court Appointed Advocate Program. Judge Rickert also stated that he would take the Commissioner's concerns back to Judge Needy and follow-up with the Board at a later date.

The Commissioners thanked the Judge for the presentation.

UPDATE OF SKAGIT MARINE RESOURCES COMMITTEE ACTIVITIES

Jim Ramaglia, Marine Resources Committee Chair, presented the Commissioners with a brochure entitled "*Skagit Marine Resources Committee - A Report to the Community*". Mr. Ramaglia stated the Skagit Marine Resource Committee (MRC) is a volunteer committee of about 18 people, appointed by the Board of Commissioners, funded by federal dollars that are managed by Washington Department of Ecology and administered by NW Straits Commission.

Mr. Ramaglia went on to say the counties in Puget Sound that have MRCs are Clallam, Island, Jefferson, San Juan, Skagit, Snohomish and Whatcom and they depend on volunteers to help improve the marine shorelines. Mr. Ramaglia briefed the Board on the history of past and present projects the Skagit MRC is involved with. Mr. Ramaglia stated the Skagit MRC is currently working on hosting a landowner workshop which is going to be held this Saturday at the Dewey Beach Community Workshop.

The Commissioners thanked the Skagit MRC for all their volunteer efforts.

PUBLIC WORKS DEPARTMENT – W. EUGENE SAMPLEY, INTERIM DIRECTOR

1. Public Hearing: Regarding consideration of vacation of a portion of unopened county right-of-way at the north end of Jura Lane in the plat of Gibraltar Annex in Similk Beach

Dave Sheridan, Engineering Services Manager, reviewed the exact location of the unopened county right-of-way at the north end of Jura Lane in the plat of Gibraltar Annex in Similk Beach. He showed a photograph of the area in question.

Chairman Dillon opened the public hearing.

Marylynn Lyke of 14351 Jura Drive, asked if she would still be able to access the top portion of her lots along the proposed vacated county right-of-way.

Mr. Sheridan stated that the proposed vacated county right-of-way would not interfere with access to Ms. Lyke's lots.

Cole Cummings of Anacortes, asked if the proposed vacation would affect access to his waterline.

Mr. Sheridan stated Mr. Cummings would still be able to access his waterline.

Commissioner Munks made a motion to close the public hearing. Commissioner Dahlstedt seconded the motion, which carried unanimously.

Commissioner Munks motioned to vacate the portion of unopened county right-of-way as outlined by Mr. Sheridan. Commissioner Dahlstedt seconded the motion, which carried unanimously.

Mr. Sheridan stated he would present the final order for the Commissioners' signature under the consent agenda at a date in the future.

2. Discussion: Funding partnership for installation of SR20 left turn pocket just west of Concrete

Don McKeehen, Traffic Safety Programs Coordinator, presented information on entering into a funding partnership with Washington State Department of Transportation (WSDOT) and Economic Development Association of Skagit County for the installation of a left turn pocket on SR 20 just west of the city limits of Concrete, as part of the Upper Skagit Corridor Project.

Phil Rust, Traffic Engineer from WSDOT, presented a drawing of the proposed left turn pocket.

Commissioner Dahlstedt asked how much money the County would be expected to fund and if other funding options were being explored. Janice Marlega, Assistant Director/Assistant County Engineer, stated it would cost the County approximately \$43,000 and that other funding options were being explored.

The Commissioners directed staff to prepare a funding agreement.

3. Discussion: Blanchard BNSF Railroad quiet zone

Ann Marie Gutwein, Programs Manager Engineering, discussed the Blanchard quiet zone for the Bow Hill crossing. Ms. Gutwein stated the requested time of the quiet zone would be from 10:00 p.m. to 7:00 a.m.

Commissioner Dahlstedt expressed concerns about liability to the County. Ms. Gutwein informed the Board she would forward a copy of the Prosecuting Attorney's evaluation on liability to the Commissioners.

4. Discussion/possible action: Revision No. 1, 2007 Annual Construction Program

Ann Marie Gutwein presented Revision No. 1, 2007, Annual Construction Program.

Commissioner Munks motioned to approved Revision No. 1, 2007 Annual Construction Program. Commissioner Dahlstedt seconded the motion, which carried unanimously. (**Resolution No. R20070062**)

5. Discussion: Review of Public Comments Received at the January 16, 2007 Open House for Best/Mclean Intersection Improvement Project

Darren Marrita, W&H Pacific, provided information on the public comments received during and after the open house for the Best/McLean Intersection Improvement Project on January 16, 2007. Mr. Marrita said approximately 75% of the comments favored to the roundabout alternative. Mr. Marrita went on to say the comments also favored roundabout alignment 3A.

The Commissioners said they were also in favor of the roundabout option.

Ms. Marlega informed the Commissioners Public Works staff will move forwarded with design options.

6. Miscellaneous

There were no miscellaneous items for Public Works at this time.

DECISION - CLOSED RECORD APPEAL NO. PL06-1089 BY SKAGIT CITIZENS ALLIANCE FOR RURAL PRESERVATION (SCARP) AND FRIENDS OF SKAGIT COUNTY (FOSC) OF THE HEARING EXAMINER'S DECISION ON APPEAL NO. PL06-0066 OF ADMINISTRATIVE SPECIAL USE PERMIT NO. PL05-0580 FILED BY SKAGIT COUNTY PUBLIC UTILITY DISTRICT #1 FOR THE INSTALLATION OF APPROXIMATELY FIVE MILES OF WATER CONVEYANCE INFRASTRUCTURE TO REDUCE FURTHER DEGRADATION OF INSTREAM FLOWS IN THE SAMISH AND LOWER SKAGIT RIVERS BY PROVIDING POTABLE WATER TO EXISTING DEVELOPMENT AND FUTURE GROWTH

Commissioner Munks stated that he had reviewed the material thoroughly and listened closely to the arguments and materials presented by the appellants. Commissioner Dahlstedt stated that he had also reviewed the material presented by both parties and Chairman Dillon concurred.

Commissioner Munks motioned to uphold the Hearing Examiner's Findings of Fact, Conclusions of Law and Decision regarding Appeal No. PL06-0066 filed by Skagit Citizens Alliance for Rural Preservation (SCARP) and Friends of Skagit County (FOSC) of Administrative Special Use Permit #PL0580 issued to Skagit Public Utility District #1. Commissioner Dahlstedt seconded the motion, which carried unanimously. **(A Resolution will be brought forth at a later date)**

Bid Opening: Rental Equipment with Annual Expenditures over \$25,000

Cliff Butler and Margo Frydenlund were present to open the following bids for Rental Equipment with Annual Expenditures over \$25,000.

Farmers Equipment Company
17893 State Route 20
Burlington, Washington 98233
and
410 19th St - P O Box 393
Lynden, Washington 98264

Hertz Equipment Rental
685 Fisher Ln
Burlington, WA 98233

United Rentals
1868 Walton Dr
Burlington, WA

Phoenix Equipment LLC,
1021 N. Broadway
Everett, WA

Clyde West
8207 S 216th St
Kent, WA 98032

Van's Equipment Company
212 County Shop Lane
Burlington, WA 98233
(two bids submitted)

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MISCELLANEOUS.

Commissioner Munks motioned to approve a Resolution and Interlocal Agreement between Skagit County Parks and Recreation and the City of Mount Vernon for the development and use of an indoor batting facility at Sherman Anderson. Commissioner Dahlstedt seconded the motion, which passed with a unanimous vote. **(Resolution No. R20070063) (Contract No. C20070081)**

ADJOURNMENT.

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

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Sharon D. Dillon, Chairman

Don Munks, Commissioner

Kenneth A. Dahlstedt, Chairman

ATTEST:

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