

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY COMMISSIONERS
TUESDAY, MAY 29, 2007**

- 7:30 a.m. – 8:15 a.m. Work Session – County Commissioners
- 8:15 a.m. – 9:00 a.m. Work Session – County Administrator/Deputy Administrator
- *T 9:00 a.m. - 10:00 a.m. Presentation - Metropolitan Park District
- *T 10:00 a.m. - 11:00 a.m. Public Works Department – W. Eugene Sampley, P.E., Director/County Engineer
1. Public Hearing - Consideration of Vacation of the Northern 430' of Samish Point Road, No.39600, Off Samish Island Road
 2. Public Hearing - Consideration of Vacation of 1312.28' of the North End of the Primitive Portion of Medford Road, No.94710
 3. Presentation - Certificate of Commendation – Retirement of Vicki Griffiths
 4. Presentation - Certificate of Commendation – Retirement of Les Hoover
 5. Discussion/Update - Flood Control Funding Options
 6. Miscellaneous
- 11:00 a.m. – 11:30 a.m. Consent Agenda and Miscellaneous Items
- *T 11:30 a.m. – 11:45 a.m. Public Comment Period
- *T 1:30 p.m. - 2:00 p.m. Work Session - National Wild and Scenic River Designation Illabot Creek
- 2:00 p.m. – 4:00 p.m. Executive Session – (None Planned As of This Notice)

The Skagit County Board of Commissioners met in regular session on Tuesday, May 29, 2007, with Commissioners Sharon D. Dillon, Don Munks and Kenneth A. Dahlstedt present.

PRESENTATION – METROPOLITAN PARK DISTRICT.

Representatives from the proposed Chuckanut Mountains Park District gave a PowerPoint presentation regarding a proposed Special Service District to facilitate acquisition and management of lands for open space and recreation from south Bellingham to Edison. The common vision is to preserve the rare beauty, unique ecology and recreational value of the Chuckanut Mountains area – a living legacy for all to enjoy.

The role of the Park District would be to proactively protect the best lands for present and future needs; protect the function and value of open space; enable fire protection and emergency response; and collaborate with existing parks and the Department of Natural Resources for management and maintenance of recreational lands.

Following the presentation, two citizens spoke in opposition of the development. They not only want to maintain their quality of life and limit their tax burden, but also feel the project is being back-doored and has no benefit to Skagit County.

The Commissioners each expressed their concerns and indicated additional public meetings would be scheduled.

PUBLIC WORKS DEPARTMENT – W. EUGENE SAMPLEY, P.E., DIRECTOR/ENGINEER

1. Public Hearing – Consideration of Vacation of the Northern 430’ of Samish Point Road, No. 39600, Off Samish Island Road.

Dave Sheridan, Engineering Manager, reported on the proposed vacation and explained the location and provided maps and pictures of the site.

Mr. Sheridan said the northern 430’ of County road Samish Point Road #39600 is not a necessity and should revert to adjacent property owners for the following reasons:

- Samish Point Road becomes a private road and extends west and north beyond the end of the County road and this proposed vacation will extend the private road 430 feet.
- The majority of the property owners to the north of this vacation have agreed to this vacation.
- The right-of-way is of no benefit to the public as a County roadway.

All property owners on the west end of the island favor the request, citing concerns about fire hazards posed by careless visitors from off the island. It would also reduce unwanted traffic.

Chair Dillon opened the public hearing.

Many Samish Island residents spoke in protest of the proposal, fearing it would cut off their access to public space and a beach they have enjoyed for generations. However, those residents whose properties are only accessible via that stretch of Samish Point Road said pedestrian uses, including access to the existing open space by way of the vacated road, would not change in the event of the vacation.

Realizing enough time was not set aside for public comment, Chair Dillon left the public hearing open until Tuesday, June 5, 2007, at 9:00 a.m. when the hearing will be continued and a decision will be rendered.

2. Public Hearing – Consideration of Vacation of 1312.28’ of the North End of the Primitive Portion of Medford Road, No. 94710.

Mr. Sheridan next spoke of a request by Cowboy Campsite, LLC to vacate a portion of Medford Road. He indicated the road right-of-way should be vacated to the adjacent property owners as it is of no benefit to the public as a County roadway.

Chair Dillon opened the public hearing. There being no public testimony forthcoming, Commissioner Munks motioned to close the public hearing, which was seconded by Commissioner Dahlstedt and passed. The hearing was closed.

The Commissioners said they would render their decision Tuesday, June 5, 2007, during the 9:00 a.m. hour.

3. Presentation – Certificate of Commendation – Retirement of Vicki Griffiths.

Following comments from Assistant Public Works Director Dave Brookings and the Board, Commissioner Munks presented Vicki Griffiths of the Public Works Department a plaque and thanked her for serving Skagit County for the past 16 years.

4. Presentation – Certificate of Commendation – Retirement of Les Hoover.

Cliff Butler of the Burlington Road Shop said Les Hoover went to work for the Skagit County Public Works Department in January 1975. He started as a laborer and rose through the ranks to become the top

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operator and lead man in District 3. Mr. Butler noted that Mr. Hoover wasn't present due to extenuating circumstances, but was here in spirit.

Commissioner Munks presented a plaque to Mr. Butler in honor of Mr. Hoover's dedicated public service to Skagit County.

5. Discussion/Update – Flood Control Funding Options.

Surface Water Manager Ric Boge provided a PowerPoint presentation regarding flood control funding options. The idea is to activate a countywide flood control zone district to pay for flood projects. The revenue source could yield as much as \$7 million annually, given current property values in the County.

Taxes could be collected as early as 2008 if the Commissioners approved a taxing measure by August. However, before moving forward with the new tax, the County would likely gauge the interest of cities and dike districts. It would also decide upon a specific amount to tax property owners, up to 50 cents per \$1,000 of assessed property value.

Mr. Boge showed a list of 14 flood projects with price tags attached. Most of the projects are levee alignments, which in many cases would mean relocating the levees farther from the river. The projects are only conceptual and the cost estimates are preliminary.

The Commissioners gave their support to the prospect of activating the flood control zone district and thanked Mr. Boge for his presentation.

6. Miscellaneous.

There were no miscellaneous Public Works items to discuss.

CONSENT AGENDA.

Commissioner Munks motioned to approve the Consent Agenda for Tuesday, May 29, 2007, items 1 through 9. Commissioner Dahlstedt seconded the motion, which passed unanimously.

COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Monday, May 21, 2007. **(Approved)**
2. Record of the Proceedings for Tuesday, May 22, 2007. **(Approved)**

FACILITIES MANAGEMENT:

3. Standard Form of Agreement between Skagit County and Van Rossen Construction, Inc., for the remodel of the Continental Place building located at 1800 Continental Place, Mount Vernon. The contract shall commence upon the date of signature and continue for 30 days from notice to proceed. Total compensation is not to exceed \$48,260. **(Contract No. C20070335)**
4. Standard Form of Agreement between Skagit County and Van Rossen Construction, Inc., for the installation of the Skagit County Fairgrounds toilet/shower building located at 1410 Virginia Street, Mount Vernon. The contract shall commence upon the date of signature and continue for 45 days from notice to proceed. Total compensation is not to exceed \$82,212. **(Contract No. C20070336)**

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PARKS AND RECREATION:

5. Resolution calling for bids to lease County-owned land for hay cutting. The bids will be opened on Monday, June 11, 2007, at 1:00 p.m. **(Resolution No. R20070293)**

SHERIFF'S DEPARTMENT:

6. Resolution authorizing execution of an Interlocal Agreement between Skagit County and the Washington State Patrol (WSP). **(Resolution No. R20070294)**
7. Interlocal Agreement between Skagit County and the Washington State Patrol (WSP). This is a federal grant for domestic cannabis eradication/suppression, which provides funding to local law enforcement agencies to support the locating and eradication of illicit cannabis plants and the investigation and prosecution of cases involving controlled substances. The agreement commenced on January 1, 2007, and ends on December 31, 2007. Compensation shall total \$21,000. **(Contract No. C20070337)**

PUBLIC WORKS:

8. Resolution to award 2007 Asphalt Overlay Projects: Old Highway 99, No.50510; Pioneer Parkway, No.42000, including portions of both County and Town of LaConner Roads; and Higgins Airport Way, No.31150 to Rinker Materials West LLC dba Rinker Materials in the amount of \$746,959.50. **(Resolution No. R20070295)**
9. Resolution to rescind Resolution **No. R20070245** (Auditor File #200704270173) and replace Final Order to Vacate Right-of-Way Near Lake Shannon Road. **(Resolution No. R20070296)**

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, May 29, 2007, 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 Xpress Flex from Clearing Fund 696 in the total dollar amount of \$379.50 (Transmittal No. C-83-07); and

Warrants numbered 249522 through 249949 from Clearing Fund 696 in the total dollar amount of \$2,118,565.20 (Transmittal No. C-85-07); and

Warrant numbered 249950 from Clearing Fund 696 in the total dollar amount of \$42,852.13 (Transmittal No. C-86-07); and

Payroll warrants numbered 205980 through 206779 in the total dollar amount of \$1,066,270.79 (Transmittal No. P-19-07); and

Payroll warrants numbered 974755 through 974938 in the total dollar amount of \$232,697.13 (Transmittal No. P-20-07).

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2. Dave Brookings brought forth Amendment No. 1 to a Joint Funding Agreement with the United States Geological Survey to cover unanticipated costs to conduct a 3-year study of potential effects of increased ground-water withdrawals on streamflows in the lower Skagit River basin. The amendment would add an additional \$40,000 to the contract for a new total of \$226,500.

Commissioner Munks motioned to approve the amendment as outlined by Mr. Brookings. The motion was seconded by Commissioner Dahlstedt and passed with a unanimous vote.
(Amendment No. A20070073)

PUBLIC COMMENT PERIOD.

Gerald Slind, Edison, spoke to the Commissioners of his unhappiness over a land purchase that occurred four years ago. Skagit County Public Works contacted him about selling an acre of his property, to which he agreed. However, the County has never bothered to perform upkeep on the property and several items in the agreement have failed to be completed.

Mr. Slind said the County hasn't been a good neighbor and if something is not done about the problem by July 2, 2007, he will be forced to seek legal counsel.

Commissioner Munks said he would handle the situation and report back to Mr. Slind

WORK SESSION – NATIONAL WILD AND SCENIC RIVER DESTINATION OF ILLABOT CREEK.

Bob Carey, Skagit River Program Director of The Nature Conservancy, gave a PowerPoint presentation regarding a potential National Wild and Scenic River designation for Illabot Creek.

Illabot Creek is one of the most productive salmon streams in the Skagit basin, is home to critical bald eagle habitat and provides an important and rare corridor between upland National Forest land and the Skagit River. Illabot Creek is ground zero for the wintering bald eagle concentration in the Skagit and is home to salmon, steelhead, and bull trout populations. Mr. Carey said during the past year when there was a record breaking eagle population, it was Illabot Creek that was identified as being home to the most significant run of chum salmon that they come to feed on. The upper Illabot Creek basin is also home to one of the most important night roosts in the basin as well. It is these fish and wildlife populations that drive much of the recreation and tourism activities in the upper Skagit.

According to Mr. Carey, The Nature Conservancy has worked for years with various partners to protect the basin. While they have succeeded in bringing the majority of the land in the basin into protected status, there remains the potential for a hydro facility to be installed in the creek, which would jeopardize its remarkable fish and wildlife resources and the enormous investment that the Conservancy and their partners have made in the basin.

To avoid potential conflict with private landowners, Mr. Carey said they are proposing a Wild and Scenic boundary, which includes private land. The designation would have no impact on private lands in the vicinity.

Mr. Carey asked the Commissioners to lend their support to this project.

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ADJOURNMENT.

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

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Sharon D. Dillon, Chair

Don Munks, Commissioner

Kenneth A. Dahlstedt, Commissioner

ATTEST:

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