

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, JUNE 18, 2007**

- 7:30 a.m. – 8:30 a.m. Executive Session – Personnel
- 8:30 a.m. – 9:30 a.m. Work Session – County Commissioners/Administrator/Deputy Administrator
- *T 9:30 a.m. – 10:00 a.m. Parks and Recreation Update – Bob Vaux, Director
1. Indoor Recreation Center Update
2. Miscellaneous
- *T 10:00 a.m. – 11:00 a.m. Planning & Development Services – Gary Christensen, Director
1. Public Hearing – Ordinance Adopting the 2006 International Building and Fire Codes
2. Set Closed Record Public Meeting Date for Preliminary Plat Approval of the Plat of Mangat Estates (PL06-0442)
3. Final Plat Approval – Bayview Executive Hangars
4. 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 11:45 a.m. – 12:00 p.m. Bid Re-Opening – Lease of Lands for Hay Cutting
- 1:30 p.m. – 2:00 p.m. Executive Session – Litigation
- 2:00 p.m. – 4:00 p.m. Executive Session – Personnel

The Skagit County Board of Commissioners met in regular session on Monday, June 18, 2007, with Commissioners Sharon D. Dillon, Don Munks and Kenneth A. Dahlstedt present.

PARKS AND RECREATION – BOB VAUX, DIRECTOR

1. Indoor Recreation Center Update.

Director Bob Vaux and Recreation Manager Dennis Lind reviewed a study completed by Sinkcombs Dethlefs and the Sports Management Group, whose responsibility is to work out the logistics of potential partnerships for an indoor recreation center. A few of those partnerships include: Skagit Valley Hospital; Skagit Valley College; YMCA; and the Children's Museum.

Following the presentation, Commissioner Dahlstedt cautioned about and engaging any potential partners to help seek funding sources if they want to participate with the Parks Department on building and maintaining a recreation center.

Commissioner Dahlstedt feels this is a tremendous project; however, the costs are tremendous as well. Hopefully, the strength in the diversity of the partnerships will address the funding issues. He said it would also be helpful to consider forming a parks district to meet the County's ongoing needs.

Chair Dillon added that you not only need to afford to build the building, but also be able to afford to operate it.

2. Miscellaneous.

There were no miscellaneous items to report for the Parks and Recreation Department.

PLANNING AND DEVELOPMENT SERVICES – GARY CHRISTENSEN, DIRECTOR

1. Public Hearing – Ordinance Adopting the 2006 International Building and Fire Codes.

Bill Dowe, Building Official, stated the International Code Council updates the building code and the related codes on a three-year cycle. A year following adoption by the Council, the State of Washington amends and adopts those codes. The year delay allows time to get ready for the change. The codes must be published in sufficient numbers for national distribution; jurisdiction staff and the builders must be trained in the changes and each state needs time for amendments, as does each jurisdiction.

This year Skagit County Planning and Development Services (PDS) are recommending adoption of the 2006 International Codes. This group of codes ensures that building construction practices meet minimum standards to protect our safety and health. The Department does not modify the main body of these codes. The only avenue to change them is through the State Building Code Council.

According to Mr. Dowe, in the course of this adoption, the Department does amend the administrative section, where they specify those activities and buildings that do and do not require permits. Some examples of activities that do not require a permit are:

- Agricultural projects, such as tilling, planting and fertilizing are specifically exempted from the requirement for a grading permit;
- Municipal projects performed within a county or State right-of-way are exempted so the State and county can build and maintain roadways and associated drainage;
- Membrane structures for propagation of plants are exempted with conditions.

No work is exempt in a defined critical area, and the Department has made that clear in this ordinance. While this is not a new restriction within the code as a whole, many owners stop reading the code at the exemption session. Mr. Dowe said this has resulted in misunderstandings where a property owner believed he or she had exercised due diligence.

Mr. Dowe indicated Chapter 15.04 of the building code will be in effect until July 1, 2010. PDS recommends adoption of the ordinance as drafted and approved by legal counsel.

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. The hearing was closed.

Following answers to questions the Commissioners posed, Commissioner Munks motioned to adopt the ordinance as proposed, adopting the International Building and Fire Codes and State Amendments thereof. The motion was seconded by Commissioner Dahlstedt, and passed unanimously. **(Ordinance No. 020070005)**

2. Set Closed Record Public Meeting Date for Preliminary Plat Approval of the Plat of Mangat Estates (PL06-0442).

Marge Swint, Senior Planner, asked the Board to set Monday, June 25, 2007, at 10:15 a.m. for a closed record public meeting for preliminary plat approval of the Plat of Mangat Estates (PL06-0442), submitted by Hapi Mangat. The plat is the division of 140 acres into 10 lots using the CaRD process.

Commissioner Munks motioned to schedule Monday, June 25, 2007, at 10:15 a.m. for a closed record public meeting, as outlined by Ms. Swint. Commissioner Dahlstedt seconded the motion, which passed unanimously.

3. Final Plat Approval – Bayview Executive Hangars.

Oscar Graham, Deputy Director, asked the Commissioners for final approval of the Binding Site Plan of Bayview Executive Hangars (PL06-0913) for the creation of a 10 lot Binding Site Plan. The proposal is to further divide existing lot #80 into 10 individual lots and to construct a hangar structure of approximately 3,000 square feet on each lot.

Mr. Graham reviewed the chronology of events leading up to the request by Brian Hofferth on behalf of Bayview Executive Hangars. He noted that the Final Land Division complies with the minimum requirements outlined within Skagit County Code and staff recommends approval of the Binding Site Plan.

It was moved and seconded by Commissioners Munks and Dahlstedt to approve the Final Plat of Bayview Executive Hangars, as outlined by Mr. Graham. The motion passed with a unanimous vote.

4. Miscellaneous.

Director Gary Christensen discussed the following miscellaneous items:

- A) Dog Kennel Ordinance – PDS is continuing to work with legal counsel in drafting an ordinance that would prescribe development standards or regulations for dog kennel operations. To date, legal counsel has reviewed a number of jurisdictional standards to get an understanding of what's been tried elsewhere. It is hopeful that information compiled would be found to be the right fit for Skagit County.

Mr. Christensen said it would be advisable to consult with the Conservation District, Humane Society, a commercial kennel operator/owner, PDS staff, the Health Department and the Skagit County Animal Control Officer. The group would look at what's been drafted to date, make some refinements and amendments within the next 30 days, and bring that draft to the Board for discussion. PDS would then proceed to schedule public hearings with the Planning Commission, receive public testimony and comment and provide the Board with a recommendation on what would likely be amendments to Title 7 and Title 14 of the Skagit County Code.

This process would coincide with other code amendments that would result in a 120 day turnaround. Mr. Christensen said an interim ordinance could be brought forward sooner that could have a defacto moratorium for a 180 day period while the ordinance was put together.

- B) Growth Management Act Update Project – The Department is finalizing the project and will have their last meeting with the Planning Commission this Thursday evening. They will be voting on their recorded motion regarding proposed amendments to the Countywide planning policies, to the current Comprehensive Plan policies and text, as well as the land use designations, and development regulations.

Mr. Christensen said staff would transmit the Planning Commission's recorded motion to the Commissioners in July along with an executive summary. Work sessions would then be established to review the entire record.

- C) 2006 Comprehensive Plan – During the docketing cycle, Mr. Christensen said the Board agreed to refer to the Planning Commission the Greg Van Zant property at Chuckanut and Interstate 5. That is scheduled for a public hearing on June 28, 2007. This is important because both the Growth Management Act Update project and the 2006 Comprehensive Plan Amendment will be reviewed by the Board concurrently at one time because the Comp Plan can be updated no more frequently than once a year.

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CONSENT AGENDA.

Commissioner Munks motioned to approve the Consent Agenda for Monday, June 18, 2007, items 1 through 12. Commissioner Dahlstedt seconded the motion, which passed unanimously.

COMMISSIONERS:

1. Record of the Proceedings for Monday, June 11, 2007. **(Approved)**
2. Record of the Proceedings for Tuesday, June 12, 2007. **(Approved)**

BUDGET/FINANCE:

3. Resolution setting the statutory dates for the FY 2008 Skagit County budget. **(Resolution No. R20070323)**

INFORMATION SERVICES:

4. Personal Services Agreement with Column Technologies to craft the Statement of Work for implementation of a Countywide 311 tracking system. The agreement shall commence on July 1, 2007, and continue through December 31, 2007. Compensation is not to exceed a total of \$9,200. **(Contract No. C20070383)**
5. Vendor Services Agreement with Right! Systems, Inc. for an upgrade of the current Citrix software and servers to the latest available version. The agreement shall commence upon the date of execution and continue through December 31, 2007. Total compensation is not to exceed \$7,000. **(Contract No. C20070384)**

PROSECUTING ATTORNEY:

6. Three Quit Claim Deeds and Excise Tax Affidavits presented by Stephen LeCuyer on behalf of the Swinomish Indian Tribal Community for property at Casino Drive for a government transfer of a road right-of-way. No compensation shall be paid by either party. **(Contract Nos. C20070385, C20070386, C20070387)**
7. Quit Claim Deed and Excise Tax Affidavit presented by Michael Winslow on behalf of William R. and Terry L. McCulloch for property on Guemes Island for a government transfer of a road right-of-way. No compensation is being paid by either party. **(Contract No. C20070388)**

PUBLIC WORKS DEPARTMENT:

8. Resolution awarding the bid for one new galvanized steel multiplate pipe arch to Contech Construction Products, Inc. in the amount of \$26,300. **(Resolution No. R20070324)**
9. Resolution calling for a public hearing to consider renewal of a Franchise Agreement with Trans Mountain Pipeline (Puget Sound) LLC. The hearing will be held on Tuesday, July 10, 2007, at 9:00 a.m. **(Resolution No. R20070325)**
10. Resolution calling for bids to purchase diesel fuel for the Guemes Island Ferry. Bids will be opened on Tuesday, July 10, 2007, at 11:15 a.m. **(Resolution No. R20070326)**
11. Amendment No. 1 to Vendor Services Agreement **No. C20060404** with Rolls Royce Canada Ltd., which amends the Terms of Agreement in terms of a Settlement Agreement. All other terms and conditions of the original contract are unchanged, and shall remain in full force and effect. **(Amendment No. A20070084)**

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12. Release and Settlement Agreement between Skagit County and Rolls Royce Canada Ltd., which the County agrees to pay the contractor \$198,776.61 as a full and final settlement. **(Contract No. C2007089)**

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, June 18, 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 Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$56,017.66 (Transmittal No. C-93-07); and

Purchase Card Electronic Payment to JP MORGAN CHASE from Clearing Fund 696 in the total dollar amount of \$50,405.49 (Transmittal No. C-94-07); and

Warrants numbered 250507 through 250982 from Clearing Fund 696 in the total dollar amount of \$4,891,202.47 (Transmittal No. C-95-07).

PUBLIC COMMENT PERIOD.

Dwight Washburn, 7632 Cabin Creek Road, Sedro-Woolley, said the Town of Hamilton passed the final draft version for the expansion of its Urban Growth Area. Mr. Washburn asked why the expansion is needed when Hamilton has 260 acres within the township that could be used. He questioned who would be benefiting from the expansion and how many residents would actually move to the new location.

Lyle Wesen, Bow, spoke in opposition of the proposed Metropolitan Park District. Mr. Wesen has two dairy farms and a heifer farm located in the proposed district. He doesn't want to farm in a park district and have folks telling him what he can and can't do. Mr. Wesen asked the Commissioners what could be done.

The Board answered that the Boundary Review Board could be invoked, which would allow the public process to move forward.

BID RE-OPENING – LEASE OF LANDS FOR HAY CUTTING.

David Skrinde of the Parks and Recreation Department noted the original bid opening for lease of lands for hay cutting was held on Monday, July 11, 2007, at 1:00 p.m. It appeared that no bids were submitted; however, a bid document was later discovered on the same day that had been delivered by the U.S. Postal Service.

According to Mr. Skrinde, the County's legal department suggested re-opening the bid process to include the lone bid submitted by:

Bakerview Farms
22815 Gunderson Road
Mount Vernon, WA 98273
Total Bid Amount: \$101.00

Mr. Skrinde said a recommendation would be forthcoming.

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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