

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
MONDAY, JULY 2, 2007**

- 8:00 a.m. – 9:00 a.m. Work Session – County Commissioners
- 9:00 a.m. – 10:00 a.m. Work Session – County Administrator/Deputy Administrator
- *T 10:00 a.m. – 11:00 a.m. Planning & Development Services – Gary Christensen, Director
1. Continuation of Closed Record Hearing for Preliminary Plat Approval for the Plat of Mangat Estates (PL06-0442)
 2. Closed Record Public Meeting for Final Plat Approval for the Plat of Alger Acres (PL05-0208) Submitted by Coach Corral/Keith Padgett
 3. Presentation – Shoreline Permit Intake Standards
 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
- 1:30 p.m. – 3:30 p.m. Executive Session – Litigation/Potential Litigation

The Skagit County Board of Commissioners met in regular session on Monday, July 2, 2007, with Commissioners Sharon D. Dillon, Don Munks and Kenneth A. Dahlstedt present.

PLANNING & DEVELOPMENT SERVICES – GARY CHRISTENSEN, DIRECTOR

Commissioner Dahlstedt was absent for a portion of Planning & Development's agenda due to a conference call, so the items were discussed in the following order:

1. Miscellaneous.

- a) Allison Mohns thanked the Commissioners for signing an amendment last week with the Washington State Department of Ecology providing additional funds to help the citizens of Skagit County repair on-site septic systems.
- b) Director Gary Christensen reported on the Growth Management Act Update. A meeting scheduled with the Planning Commission was rescheduled to July 9, 2007. At that time, the Commission will conduct their final deliberations and take final action on the Update. Tentatively, July 24, 2007, has been scheduled to begin discussing recommendations with the Board.

2. Presentation – Shoreline Permit Intake Standards.

Kurt Latimore of The Latimore Company, LLC gave a PowerPoint presentation regarding new intake standards for shoreline permit applications.

The 1971 Washington State Shoreline Management Act requires cities and counties to maintain Shoreline Master Programs that set standards for the way landowners use and develop property within shoreline jurisdiction. This helps to ensure that public waterway functions and values are retained. Generally, these standards apply to development within 200 feet of a shoreline area. Skagit County shoreline standards specify how close a structure or deck can be to the water, how structures can be placed on shorelines and whether certain areas can be used for housing or commercial uses considering land use, environmentally sensitive areas and floodplains.

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The fundamental reference point for shoreline jurisdiction is the ordinary high water mark (OHWM). A permit applicant locates this point and generally measures 200 feet landward to determine shoreline jurisdiction.

The Shoreline Management Act and Skagit County Shoreline Management Master Program defines ordinary high water mark on all lakes, streams and tidal water is that mark that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation as that condition exists on June 1, 1971, or as it may naturally change thereafter, provided that in any area where the ordinary high water mark cannot be found, the ordinary high water mark adjoining salt water shall be the line of mean higher high tide and the ordinary high water mark adjoining fresh water shall be the line of mean high water.

Skagit County has added a new shoreline consultation to the independent critical areas review currently required before most building or land use applications may be submitted. If property is located within a mapped shoreline area, the County will now visit the site and locate the OHWM for the landowner, eliminating the guesswork as a project is considered.

After or while locating the OHWM on site, the County shoreline planner will talk with the applicant about how the features of the site may affect project planning. They will also discuss whether a pre-app is required.

The key action, early identification of the OHWM, will greatly assist shoreline landowners by taking the guesswork out of how shoreline boundaries on paper apply on the ground. It will also enable prospective applicants to visualize and explore ideas before expensive investments are made.

Oscar Graham, Deputy Director, said Mr. Latimore's work with Planning & Development Services has been significant, along with Betsy Stevenson, Dan Downs, Tawni Bosman and Bill Dowe.

Ms. Stevenson added that none of the County's current rules and regulations are changing. The Department is simply bettering the process and everything will be well documented.

3. Continuation of Closed Record Hearing for Preliminary Plat Approval for the Plat of Mangat Estates (PL06-0442).

Marge Swint, Senior Planner, indicated she had supplied answers to questions the Commissioners had about this preliminary plat approval.

Therefore, it was moved and seconded by Commissioners Munks and Dahlstedt to approve a resolution concerning the preliminary plat request of Mangat Estates (PL06-0442), as outlined by Ms. Swint. The motion passed unanimously. **(Resolution No. R20070344)**

4. Closed Record Public Meeting for Final Plat Approval for the Plat of Alger Acres (PL05-0208) Submitted by Coach Corral/Keith Padgett.

Next Ms. Swint outlined the project description for final plat request for Alger Acres (PL05-0208) to develop approximately 13 acres into a thirteen lot land division through the CaRD process. The lots will range in size from approximately .30 acres to .55 acres. The remaining approximately 7 acres will be tied to one of the residential building lots and will be designed with CaRD open space categories.

According to Ms. Swint, a standard County internal plat road, onsite sewage, and PUD (Public Utility District) water will serve the project, which is located within the Alger Rural Village Residential (RVR) zoning/comprehensive plan designated area.

Planning & Development Services recommends approval of the Plat of Alger Acres.

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

It was moved and seconded by Commissioners Munks and Dahlstedt to approve the final plat of the Plat of Alger Acres (PL05-0208) submitted by Coach Corral/Keith Padgett. The motion passed unanimously.

Miscellaneous Continued.

- c) The Commissioners approved a resolution concerning a final plat alteration request of the Tellberg Short Plat by William Seymour (PL07-0001). **(Resolution No. R20070345)**
- d) Following a brief discussion, Commissioner Munks motioned to approve an interim ordinance declaring an emergency and adopting an immediate moratorium on the acceptance of Special Use Permit applications for kennels, as defined in Skagit County Code 14.04, in all areas of the County in order to protect public health, safety and welfare so the County will have the opportunity to review current regulations and develop amendments as necessary to sufficiently regulate kennels.

Commissioner Dahlstedt seconded the motion, which passed with a unanimous vote.
(Ordinance No. O20070008)

CONSENT AGENDA.

Commissioner Munks motioned to approve the Consent Agenda for Monday, July 02, 2007, items 1 through 11. Commissioner Dahlstedt seconded the motion, which passed unanimously.

COMMISSIONERS' OFFICE:

- 1. Corrected Record of the Proceedings for Tuesday, May 22, 2007.
- 2. Record of the Proceedings for Monday, June 25, 2007. **(Approved)**
- 3. Record of the Proceedings for Tuesday, June 26, 2007. **(Approved)**
- 4. Record of the Proceedings for Thursday, June 28, 2007. **(Approved)**

HUMAN SERVICES:

- 5. Amendment No. 2 to Personal Services Agreement **No. C20060459** with Skagit Domestic Violence & Sexual Assault Services, to increase funding in the amount of \$35,000. The maximum contract amount shall not exceed \$70,000. This amendment is retroactive to January 1, 2007, and continues through December 31, 2007. All other terms and conditions of the original Agreement and Amendment No. A20070070 shall remain in effect. **(Amendment No. A20070096)**
- 6. Amendment No. 2 to County Program Agreement **No. C20050393** with the Department of Social Health Services - Division of Developmental Disabilities for the 2005-2007 bienniums to provide developmental disability services for the clients who have transferred to Skagit County from other counties in the State. The State grant has increased by \$4, 285. This contract covers the period July 1, 2005, through June 30, 2007. Compensation to the County shall not exceed \$1,842, 737. All other terms and conditions of the original contract and Amendment No. 1 shall remain in effect.
(Amendment No. A20070097)

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7. Personal Services Agreement with Chinook Enterprises for continuance of Development Disabilities Individual Supported Employment, Group Supported Employment and Pre-Vocational Services for the period July 1, 2007, through June 30, 2009. The County shall reimburse the contractor on a fee-for-service basis on the individual client's approved monthly allocation. The contract shall not exceed \$1,200,000. **(Contract No. C20070409)**
8. Personal Services Agreement with Skagit Recovery Center to provide comprehensive chemical dependency assessment and outpatient treatment services to individuals referred for participation in Skagit County's Adult Felony Drug Court between July 1, 2007, and June 30, 2008. Services shall include Drug Court services, drug screens, and mental health services. The contract shall not exceed \$310,755. **(Contract No. C20070410)**

PUBLIC WORKS:

9. Resolution calling for bids for the 2007 Barrier Protection (Guardrail) Projects: at the following sites 1) F&S Grade Road, No.62500; South Skagit Highway, No.07000; and Little Mountain Road, No.31150. Bids will be opened on Tuesday, July 24, 2007, at 8:45 a.m. **(Resolution No. R20070341)**
10. Resolution requesting Statement of Qualifications for Environmental Services for the Skagit River Bridge Modification and Interstate Highway Protection Project, with the RFP closing date of July 30, 2007, at 4:00 p.m. **(Resolution No. R20070342)**
11. Resolution awarding the bid for Overhaul of Model 370 DF Outdrive for the MV Guemes Ferry to Pacific Star Marine in the amount of \$45,000. **(Resolution No. R20070343)**

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 2, 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 \$131,813.54 (Transmittal No. C-99-07); and

ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$91,547.15 (Transmittal No. C-100-07); and

Warrant numbered 251978 from Clearing Fund 696 in the total dollar amount of \$195,536.24 (Transmittal No. C-102-07); and

Warrants numbered 251979 through 251980 from Clearing Fund 696 in the total dollar amount of \$2,729.75 (Transmittal No. C-103-07).

PUBLIC COMMENT PERIOD.

No one was present for public comment.

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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