

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
TUESDAY, FEBRUARY 19, 2008**

The Skagit County Board of Commissioners met in regular session on Tuesday, February 19, 2008, with Commissioners Don Munks, and Kenneth A. Dahlstedt present.

Commissioner Dillon's absence for a portion of the agenda was excused.

I. AGENDA:

A. 8:00 a.m. - 8:30 a.m. Consent Agenda and Miscellaneous Items

A motion was made by Commissioner Dahlstedt to approve the Consent Agenda for Tuesday, February 19, 2008, items 1 through 25. Chairman Munks seconded the motion, which passed unanimously.

B. 8:30 a.m. - 9:30 a.m. Public Works Department - James E. Voetberg, P.E.,
Director/County Engineer

1. Public Hearing - Consideration of Adoption of Revision No. 1 to the 2008-2013 Six-Year Transportation Improvement Program (TIP)

Chairman Munks opened the public hearing.

There being no public testimony forthcoming, Commissioner Dahlstedt motioned to close the public hearing. Chairman Munks seconded the motion, which carried. The public hearing was closed.

Ann Marie Gutwein, Programs Manager, displayed a map of the project. She went on to explain that the Transportation Improvement Program (TIP) revision is necessary to divide the Anderson LaVenture Extension Project into three projects so Public Works can manage the project more effectively. She stated the project has received \$3.5 million in Surface Transportation Program funding, and \$1.5 million from the Transportation Improvement Board to fund construction on the Fowler to Blackburn Project.

A motion was made by Commissioner Dahlstedt to approve adopting Revision NO. 1 to the 2008-2013 Six-Year TIP (**Resolution No. R20080095**) Chairman Munks seconded the motion, which passed unanimously.

2. Discussion/Possible Signature - Revision No. 1 of the 2008 Annual Construction Program

Ms. Gutwein stated this is the first revision to the 2008 Annual Construction Program. She went on to say, the Annual Construction Program is being

revised to include projects that were not completed in 2007 and need to be included on the 2008 Construction program.

A motion was made by Commissioner Dahlstedt to approve Revision No. 1 to the 2008 Annual Construction Program. (**Resolution No. R20080096**) Chairman Munks seconded the motion, which passed unanimously.

3. Miscellaneous

Jim Voetberg, Public Works Director, informed the Commissioners of the Skagit County Municipalities Committee meeting scheduled for Wednesday, February 27, 2008, at 9:30 a.m. at Burlington City Hall.

Jeff Miller, Assistant Public Works Director, discussed the agenda for the Skagit River Comprehensive Flood Hazard Management Plan Update meeting that will take place this evening at 5:30 p.m., at Skagit Station located at 105 E. Kincaid St., Mount Vernon.

C. 9:30 a.m. - 10:30 a.m. Public Health Department - Peter Browning, Director

1. Introduction - New Microbiologist

Joanne Lynn, Environmental Health Specialist, introduced Shannon Stulc, the new microbiologist in the water laboratory.

2. Discussion - Revisions to Living Environment Codes

Ms. Lynn stated one of the work plan goals for 2008 is to review and revise some of the more antiquated codes for living environment. These include codes for camping vehicle parks, mobile home parks and day camps. She said two of the three of these codes have not been revised since they were first written decades ago. The Camping Vehicle Park code was last revised in 1990. They will start with a revision of the Recreational Vehicle Park code; defining more clearly some of the gray areas and eliminating some discrepancies between the Health Department and Planning and Development Services.

3. Discussion - Highlights for Environmental Health in 2008

Corinne Story, Environmental Health Supervisor, updated the Commissioners on planned activities for Environmental Health in 2008. The priorities include adopting a drinking water program ordinance which is compliant with the Growth Management Act (GMA) procedures. Another priority for 2008 is an on-site sewage program which includes adopting marine recovery area designations.

4. Communicable Disease Report for 2007

Sandy Paciotti, Communicable Disease Supervisor, discussed the current

influenza concerns. She stated there are new strains of influenza and the current flu vaccine is effective for approximately 40% of this year's flu viruses.

Maryl Skjei, Communicable Disease Registered Nurse, reported on the State Department of Health list of diseases that were reported to the Health Department in 2007.

5. Regionalization of Public Health Services

Mr. Browning stated as funding becomes more tenuous some of the programs in Public Health may be more effectively managed at a regional level. He said during the last few years they have worked within the five-county region to better define the goals and set priorities of the HIV/AIDS Program and the All Hazards Emergency Response program so that the needs of the counties and the region are both reflected.

6. Public Health Planning and Evaluation Process for 2008

Mr. Browning outlined the strategic plan and the standards review.

7. Miscellaneous

Ms. Story discussed the Memorandum of Understanding (MOU) between Skagit County and the State of Washington Department of Health (DOH) regarding the licensure, inspection, and rule enforcement of Temporary Work Housing in Skagit County. Ms. Story stated having the MOU with the DOH did not make a difference in the way the Skagit County Health Department performed its inspections. Ms. Story informed the Board the MOU expired on December 31, 2007, and they were not going to renew it for 2008.

D. 10:30 a.m. - 11:30 a.m. Discussion - Planning & Development Services
Departmental Docket Recommendations on Proposed 2007 Comprehensive Plan Amendments and Subarea Plans

<ftp://ftp.skagitcounty.net/Commissioners/Documents/AgendaPackets/02192008>

Senior Planners Carly Ruacho, Guy McNally, and Jeroldine Hallberg were present and discussed the proposed 2007 Comprehensive Plan Amendments (CPAs) Docket Recommendations.

Ms. Ruacho stated by the last business day of July of each year, any citizen, group or agency may submit an application to amend: (1) Comprehensive Plan policies, or (2) amend the Comprehensive Plan/Zoning Map designation of one or more parcels of land. Due to continued work on the 2005 Growth Management Act (GMA) update, which included many CPAs, the deadline to submit for 2007 annual cycle was extended to from July to October 10, 2007. No applications were submitted proposing policy amendments. However, several County-initiated Comprehensive Plan text amendments were proposed.

Ms. Ruacho indicated the Department has received two timely applications to

amend the Comprehensive Plan/Zoning Map in this year's Comprehensive Plan Amendment cycle. She presented the Comprehensive Plan Amendment Process and the 2007 Comprehensive Plan Map Amendment Proposals.

Ms. Ruacho presented maps and a report summarizing each proposal. She also included the Department's recommendation and a brief rationale. They are as follows:

1: Windward Group, LLC - PL07-0597

The Department recommends denial of this proposal is in no way a reflection on its merits, it is merely an issue of timing. The Guemes Island Resort is located within the boundaries of the Guemes Island Subarea Plan study area, which has been a process ongoing for several years. The proposed plan for Guemes Island as developed by the Guemes Island Planning Advisory Committee, the County-recognized citizen group heading up the subarea plan, has been submitted to the County and is scheduled for review as part of this docket.

The Department recommends denying the application now, without prejudice, and encouraging reapplication in the cycle following the completion of the subarea plan process.

2. Bouslog Investments, LLC - PL07-0808

The Department recommends denial of this proposal. With many Bayview Ridge UGA compliance issues still unresolved, the Department recommends settling those matters first, before contemplating any changes to the since UGA. The applicant was informed of the Department's preferred approach both prior to and since submittal of the application. The issue of placing an elementary school in Bayview Ridge UGA is an important one and it will receive much consideration. However the proposal seems untimely pending the compliance issues as well as the policy changes that would be required to achieve the desired result. A master site planning process is planned for the entire UGA upon resolution of the compliance issues and this proposal would be much more appropriately dealt with during that process.

Denying this application for docketing would allow the applicant to be refunded the allowed amount of the application fee, rather than keeping the application/applicant waiting indefinitely for a future process. The Department recommends that the applicant bring this proposal forward again in the future, as part of the Bayview Ridge master site planning process.

Ms. Ruacho presented the following County-initiated map amendment proposals:

1. Mt Enterprises and surrounding

The strip of land between F&S Grade Road and Thomas Creek will be evaluated to determine the appropriate boundary for the Agricultural-Natural Resource Land (Ag-NRL) and Rural Reserve (RRv) districts in the area. The current boundary between the two districts is F&S Grade Road. The area between Thomas Creek and F&S Grade Road does have a change in elevation in comparison to the farmed land to the south. There is some evidence to suggest that the soils may also change significantly in the area. This 'strip' will be evaluated against the designation criteria for the Ag-NRL zoning designation and a determination will be made as to

whether or not that indeed is the appropriate designation. This matter was deferred from the 2005 GMA Update process and was known as CPA05-01. The review area is roughly 41 acres in size and is comprised of the northern portions of several parcels located approximately between the intersections of Avalon Heights Way and Valley View Roads with F&S Grade Road (south of the road). The primary question to answer in this case is whether F&S Grade Road or Thomas Creek provides a more logical boundary between the zoning districts based on designation criteria for both the Ag-NRL and RRv zones.

2. Ron Bates and surrounding area

The area north of Highway 20 in the Birdsvie vicinity will be reviewed to determine if changes to the properties currently designated as Rural Resource-Natural Resource Lands (RRc-NRL) are appropriate. Any parcels found not to meet the designation criteria for the RRc-NRL zone will be considered for a more appropriate zoning designation. This is an issue that was deferred from the 2005 GMA Update process and was known as CPA05-26. Parcels south of the Highway were reviewed during the Update process. Any changes in the area would not greatly affect the development potential of many of the lots, but would instead act to recognize existing lot sizes and development patterns that may not meet the RRc-NRL designation criteria. Much of the area is currently located within ¼ mile of the Mineral Resource Overlay which also limits development densities regardless of zoning.

3. Birdsvie Rural Resources

Four parcels in the western portion of Birdsvie currently designated as Rural Resource-Natural Resource Land (RRc-NRL) will be evaluated against the Rural Resource designation criteria for possible retention or de-designation. There is some question as to the appropriateness of designation of the current block of Rural Resource land considering existing development patterns in the area. The area to be reviewed is approximately 121 acres in size and is located south of Highway 20 and north of Rasar State Park. The surrounding area predominantly consists of Rural Reserve zoning with minimal areas of higher density Rural Intermediate as well as Public Open Space of Regional/ Statewide Importance (OSRSI) identifying the state park. The area to be reviewed includes two 20-acre parcels and two 40-acre parcels each owned by a separate individual and each used for various purposes including residential, timber management as well as agriculture. This matter is also known as CPA05-31 and was deferred from the 2005 GMA Update process.

4. Spinnaker Lane

This proposal would adjust the zoning district boundaries on several properties located off Spinnaker Lane on Fidalgo Island to remedy the current occurrence of 'split zoning' on the properties. This situation was caused by several recent boundary line adjustments in the area. As a procedural matter, zoning district boundary lines cannot be changed concurrent with a boundary line adjustment, but instead must be included in the next annual Comprehensive Plan Amendment cycle such as this. This matter was deferred from the 2005 GMA Update process and is known as SC05-06. Split zoning often does not serve an intended land use purpose, but can work to complicate the processing of development permits and application of the zoning code to those properties. The correction of inadvertently split-zoned properties is an ongoing process and occurs as they are identified.

5. Gregg Coolley/Frank Adams

An existing area of Rural Business (RB) within the Alger Rural Village will be evaluated for retention/deletion as appropriate pursuant to the designation criteria. It appears that a mapping error occurred on the subject properties, based on confusion with other RB designated properties in the direct vicinity, which led to the current RB designation. The properties have no existing commercial use and are zoned Rural Village Residential on the majority of the parcels. There is an existing home on each parcel, which is not an allowed use in the RB zoning district unless associated with a commercial business. Permitting for improvements and/or accessory uses as desired by the owners is not possible with the current zoning designation. The RB zone exists solely to recognize businesses in existence at the time of original adoption of the Comprehensive Plan (June of 1997) and does not appear to be an appropriate designation for these parcels.

6. Bill Schmidt and surrounding

The area east of Walker Valley has been identified as containing a hard rock resource known as andesitic basalt. An area approximately 280 acres in size will be considered for inclusion in the Mineral Resource Overlay (MRO). The parcels proposed to be included in the MRO range from 20 acres to 80 acres in size and are zoned either Secondary or Industrial Forest-Natural Resource Land. The discovery of the outcropping of minerals in this area was made after public comment had concluded on the 2005 GMA Update and was therefore deferred for a future amendment cycle. The Department believed that the comments deserved further review and agreed to recommend this as a county-initiated amendment in the next available Comprehensive Plan Amendment cycle. Findings regarding the presence of mineral on the property will be reviewed against the designation criteria for the MRO to determine the appropriateness of an overlay designation for the area.

7. Sauk River

An area along State Route 530 east of the Sauk River consisting of parcels currently zoned Secondary Forest-Natural Resource Land will be considered for redesignation to Rural Reserve. The area includes several platted lots approximately 3 acres or less in size. Similar parcels to the north were redesignated through the 2005 GMA Update process. The properties are used for residential and/or recreation and are isolated between the river and the highway. In order to achieve consistency of zoning with like parcels in the area as well as acknowledgement of existing development patterns, it appears that a redesignation is appropriate.

8. Privately owned

Review privately held properties throughout the county currently zoned OSRSI for possible redesignation from 'public' zoning to more appropriate designation. Certain circumstances exist that will preclude the redesignation of all privately owned parcels from OSRSI, mainly in areas where all but one or a few lots are publically owned. However, in instances where a private parcel is not surrounded by publicly owned OSRSI designated land, it is inappropriate to maintain the designation. As OSRSI is a 'public' zone it is therefore very restrictive in its allowances of private uses. This is problematic for owners erroneously zoned OSRSI in terms of acquiring permits for uses including residential and accessory uses.

9. State Parks to OSRSI

In contrast to the above described proposal, there are several instances in the County where state parks do not currently hold the OSRSI zoning designation and are instead erroneously zoned with miscellaneous rural-type designations. Each state park would be reviewed for possible inclusion in the OSRSI zoning district as appropriate. Maintaining rural designations can pose difficulties for parks that seek to expand or develop as often park-type uses are not allowed at all or are only allowed through very extensive permitting processes. This issue was raised during the public comment period of the 2005 GMA Update process and was recommended for deferral to this amendment cycle.

10. Healy Road

The Secondary Forest-Natural Resource Land 'band' in the area northeast of Lyman near Healy Road will be evaluated for possible redesignation to Rural Resource-Natural Resource Land or Rural Reserve. Due to existing parcel sizes and the general development pattern in the area, it may be prudent to shift the location of the ¼ mile SF-NRL band up one quarter section to the north. Many of the parcels currently designated SF-NRL in this area are used for residential purposes and are 1-2 acres in size. The larger parcels are generally mixed in use with small-scale agriculture and some timber as well as large critical areas including steep slopes and streams. Some combination of Rural Resource and Rural Reserve may better recognize the existing uses in the area and provide for a more appropriate designation generally. This matter was deferred from the 2005 GMA Update process and is known as FO05-10/11.

11. Small-lot Secondary/Industrial Forest perimeter properties

During the 2005 GMA Update the issue of smaller lots designated as Industrial Forest-Natural Resource Land was raised repeatedly. It was seen by many citizens and members of the Planning Commission as a burdensome zoning designation and an issue deserving further attention. Although not all small lots can be removed from the Industrial Forest zone due to requirements for logical zoning district boundaries, there may be some properties along the fringe of the Secondary Forest/Industrial Forest border that could be afforded relief with minor changes in the application of the Secondary Forest ¼ mile band around the Industrial Forest zone. The perimeter areas will be reviewed to determine if any smaller lots would be more appropriately zoned as Secondary Forest. Areas completely surrounded by Industrial Forest are not proposed to be reviewed at this time. This is also not proposed to be a review of policies and/or designation criteria relating to Secondary Forest as a 'band' around Industrial Forest or the criteria distinguishing generally between Secondary and Industrial Forest. Instead, it is proposed to be a property-specific review of only those small-lot parcels on the perimeter of the two zones.

1. Guemes Island Subarea Plan (See Map No. 11) The Guemes Island Planning Advisory Committee (GIPAC) submitted the Guemes Island Subarea Plan to the County on July 31, 2007, following public meetings on the island. Policy changes are recommended in six areas:

- Land use
- Natural Resource Conservation

- Environment
- Shorelines
- Transportation
- Implementation One 2005 land use map change was reviewed by GIPAC and found to be consistent with the proposed plan, though GIPAC decided to exclude it from the planning document to assure that the document is timely reviewed. The map amendment is CPA05-21 to change approximately 280 acres from Rural Reserve to Rural Intermediate north of Holiday Hideaway. The Board of County Commissioners agreed with the Planning Commission recommendation to remove it from the 2005 Update and review with the Subarea Plan. The Department is now recommending that the County first consider the Subarea Plan through this amendment cycle, including any changes to Comprehensive Plan policies that may result. Once the Subarea Plan and any resulting Comprehensive Plan policies have been adopted by the Board of County Commissioners, then the County should consider Guemes Island map amendments, including CPA05-21 and the Windward Group, LLC proposal addressed earlier in this memo (PL07-0597).

Once again, this option would not preclude interested parties from proposing map changes as part of the public comment/hearing process on the Guemes Island Subarea Plan.

2. Alger Subarea Plan (See Map Nos. 12 and 13)

The Alger Citizen Advisory Committee (CAC) completed its work in 2007 and the Planning Commission reviewed the plan and associated map amendments. The Planning Commission recorded motion, which will be forwarded under separate cover this month, recommends adopting the Alger Community Plan and the following map and development code amendments. Each of the redesignation proposals described below must be found to meet the standards in the Growth Management Act and the Comprehensive Plan for limited areas of more intensive rural development (LAMIRDs).

a. Rural Freeway Service (RFS) LAMIRD at Alger/I-5 Interchange (Jarvis)
 This amendment is for one parcel of 5.5 acres located at the I-5/Alger interchange. The parcel is currently zoned Rural Reserve. It is located across Lake Samish Road from the existing RFS designation adopted in 2000. The CAC believes the site meets both the “logical outer boundary” and “built environment” requirements of the GMA since it is completely surrounded by improved public roads in existence in 1990 and the existing home has been on site since the 1970s.

b. Alger Rural Village LAMIRD – Rural Village Residential to Rural Village Commercial

One of the key findings of the Alger community planning process was the lack of any significant remaining vacant land zoned for rural commercial use. This concern was accompanied by a desire to improve the appearance of the Alger village. The CAC reviewed the existing development pattern in the village and recommended five parcels for re-designation from Rural Village Residential (RVR) to Rural Village Commercial (RVC) to help promote more economic development opportunities within the existing village boundaries. The 5 parcels are P70380, P70381, P70370, P70361, and P70362. These recommended re-designations to Rural Village Commercial are intended to be accompanied by adoption of Rural Village design guidelines, described below.

c. Alger Village South/Old Highway 99 Limited Rural Intermediate (RI)

The Alger Village South/Old Highway 99 Limited RI redesignation would change 6 parcels totalling 24 acres from Rural Reserve to Rural Intermediate. The CAC based its decision on public input indicating a desire for further residential development opportunities south of the village along Old Highway 99 where existing road and sewer access are already in place and expansion can be limited to parcels that have direct or indirect public access to Old 99. This area is bordered on the north by the Rural Village and on the south by the existing Rural Intermediate area. LAMIRD analysis

d. Old Highway 99 East Limited Rural Intermediate (RI)

This proposal would create a 146-acre Rural Intermediate (RI) LAMIRD. It would adjoin existing RI to the south and with proposal (c) would create a continuous band of RI along Old Highway 99. An existing RI area is located across the highway. The CAC's reasoning for this proposal was the same as for the preceding recommendation. The Planning and Development Services report accompanying the Alger Subarea Plan does not recommend this redesignation because the Department does not believe it meets the LAMIRD criteria for infill on its own.

e. Rural Village Design Standards – Development Code Changes

The Alger Community Plan as recommended by the Planning Commission includes a conceptual design for how the crossroads village area could be more attractive and still reflect the citizens' desire for rural character. To help implement the concept, the Department is recommending a number of changes to the development code, such as grouping parking areas to the side and rear of new buildings, landscaping and lighting changes, use of natural stormwater management, and changes to permitted uses in Rural Village Commercial. Another measure to implement the changes involves working with the Public Works Department to modify the 100-foot right-of-way for the portion of Old Highway 99 north of the Alger-Cain Lake Road and use the excess area for landscaping and/or stormwater management to enhance the village's appearance. Public Works is exploring changes to the village intersection that would improve traffic safety and function. These changes can incorporate measures to improve pedestrian circulation and to further the recommended design concept.

Although the Comprehensive Plan was reviewed as part of the 2005 GMA Update, review of certain portions of the Plan was deferred until after adoption of the GMA Update. Most of the revisions proposed below are minor clarifications, corrections of errors or omissions, or are determined by the Department to be necessary to implement the intent of certain policies. The list below represents the Department's findings and recommendations to date.

Note: With the adoption of the 2005 GMA Update amendments, the Board of County Commissioners also adopted a list of future work-program tasks, referred to as "Trailing Issues" to be considered as priorities, time and budget allow. These trailing issues are not proposed to be addressed as part of this annual amendment cycle, as they generally require a more comprehensive or programmatic level of review, and are subject to priorities and funding commitments pending approval by the Board.

1. Review of Comprehensive Plan Definitions

Comprehensive Plan Appendix A, Acronyms and Definitions, was not reviewed during the 2005 GMA Update. This proposal is to review Appendix A for omissions, errors and consistency with adopted policies and development regulations. If the Board of County Commissioners docket this editorial task, draft definitions will be prepared prior to release for public review.

2. Consistency With Recently Adopted Capital Facilities Plan

Review of certain elements of Comprehensive Plan Chapter 10, Capital Facilities and Essential Public Facilities, was intentionally deferred during the 2005 GMA Update pending adoption of the County's 2008-2013 Capital Facilities Plan. Although the newly adopted Capital Facilities Plan was reviewed for consistency with the Comprehensive Plan policies in general, certain specific details regarding capital facilities may have changed. If the Board of County Commissioners docket this editorial task, draft changes to the Capital Facilities Element will be prepared prior to release for public review.

3. Update of Related and Supporting Documents List

Comprehensive Plan Appendix C, Descriptions of Related Plans, Studies and Regulations, is a list of documents that in some way relate to or support the Plan's policies. Some of the documents listed have been updated, superseded, or are not relied upon as a basis for Comprehensive Plan policies. If the Board of County Commissioners docket this editorial task, a draft updated list of supporting documents will be prepared prior to release for public review.

4. List of Pending Community Plans

Comprehensive Plan Chapter 12, Plan Implementation and Monitoring, includes a list of ongoing and future community plans. The latter (Policy 12A-4.2) is not inclusive of all communities, but instead reflects those areas or communities the County has identified as priorities through the expression of public interest. A minor clarifying amendment is proposed to emphasize that the list of future community plans is not all-inclusive. Also, the Lake Cavanaugh Rural Village is proposed to be added to the list in response to a recent (2005 GMA Update) Planning Commission finding regarding the need to study the feasibility of establishing a commercial use on properties within the Rural Village, prior to consideration of expanding the Rural Village to accommodate such uses.[1]

Proposed Amendment (shown in underline format):

Policy 12A-4.2

The following areas and issues have been identified for future community planning, although no specific timing or

order of priority has been established. Other areas may be identified in the future.

[Subsections (f) through (i) no change]

j. Lake Cavanaugh Rural Village. No commercial services currently exist within the Lake Cavanaugh Rural Village. A limited scope, or phased community planning process may be necessary to assess the feasibility of establishing commercial services, including a community store, within the existing boundaries of the Rural Village. The feasibility study would include an assessment of the community's need for commercial services, whether there are suitable properties for such uses within the Rural Village, and property-owner interest in establishing such uses. If the establishment of commercial services within the boundaries of the Rural Village is determined infeasible, then consideration should be given to the feasibility of expanding the Rural Village to accommodate the commercial needs of the community.

4. Urban Growth Area Modification Policies

To incorporate the recently-approved Urban Growth Area modification criteria into the Comprehensive Plan, the following policy in Chapter 2, Urban, Open Space and Land Use, is proposed to be amended as shown:

Proposed Amendment (shown in underline/strikethrough format):

Policy 2A-1.2

Proposals for Urban Growth Area expansions shall be evaluated for their consistency with the ~~Work with the cities and towns to establish criteria for evaluating future proposals for~~ Urban Growth Area Modification Criteria developed and approved by the Growth Management Act Steering Committee. These criteria address issues ~~expansions~~ including: land capacity analysis; ability to provide urban services; impacts on critical areas, natural resource lands, and hazard areas; and compliance with related Countywide Planning Policies.

Policy 2A-1.2 (continued)

Urban Growth Area expansion proposals shall demonstrate that expansion is necessary within the 20-year planning period, that public facilities and services can be provided concurrent with development, and that reasonable efforts have been made to encourage infill and redevelopment within existing Urban Growth Area boundaries before those boundaries can be expanded.

[1] Ordinance No. O20070009, Planning Commission Recorded Motion, Finding #163, Page 40.

Ms. Hallberg indicated the Planning & Development Department recommends the Alger Community Subarea Plan and Guemes Island Subarea Plans be considered as part of the docketing process for this year. She stated the Alger Plan would not have to go back to the Planning Commission because they have already been through the process.

Mr. McNally discussed the follow-up policy and text amendments that were not proposed as part of the trailing issues list but were adopted as part of the Comprehensive Plan. He stated they are characterized as more text amendments, omissions and errors. There are five proposed text amendments to the Comprehensive Plan.

Ms. Ruacho requested the Commissioners set a date and time for a public hearing on the proposed 2007 Comprehensive Plan Amendment docket for 10:30 a.m. on Tuesday, March 18, 2008.

A motion was made by Commissioner Dahlstedt to approve setting Tuesday, March 18, 2008, at 10:30 a.m. for a public hearing on the proposed 2007 Comprehensive Plan Amendment docket. Commissioner Dillon seconded the motion, which passed unanimously.

Tom Solberg of 19019 Minnie Road in Burlington, commented on the Alger portion of the subarea plan. He stated he not think the Alger Plan should go through a series of public hearings or hold Planning Commission deliberations because they have already been through one process.

E. 11:30 a.m. - 11:45 a.m. Public Comment Period

Mr. Solberg stated he was disappointed that the Alger Subarea Plan has not yet been approved.

F. 11:45 a.m. - 12:00 p.m. Public Meeting to Review Final Plat Approval Request No. PL07-0236 by Birdsvie Development, Inc. for the Final Plat of Russell Road Estates

Brandon Black, Senior Planner, stated the project is located at 7814 Russell Road, Concrete, within a portion of Section 10, Township 35N, Range 7 E W.M., situated within Skagit County.

Chair Munks opened the public meeting.

There being no public testimony forthcoming, Commissioner Dahlstedt motioned to close the public meeting. Commissioner Dillon seconded the motion, and the meeting was closed.

A motion was made by Commissioner Dahlstedt to approve the Final Long Plat of Russell Road Estates (#PL07-0236) and sign the Final Plat Mylar. Commissioner Dillon seconded the motion, which passed unanimously.

G. 1:30 p.m. - 3:30 p.m. Executive Session - Litigation

The scheduled executive session was cancelled.

H. 3:30 p.m. - 4:00 p.m. Proclamation - FFA Week in Skagit County - February 19-23, 2008

The following members of Future Farmers of America (FFA) were present for this proclamation: Michele Ernst, Carlos Reyes, Laura Adams and Amanda James from the Mount Vernon Chapter.

Commissioner Dahlstedt read a proclamation declaring February 19 through 23, 2008, as FFA Week in Skagit County.

I. 5:30 p.m. Flood Control Zone District Technical Committee Orientation Welcome (Skagit Station, Mount Vernon)

II. CONSENT AGENDA:

a) COMMISSIONERS' OFFICE:

1. Record of the Proceedings for Tuesday, February 12, 2008. **(Approved)**

b) BUDGET & FINANCE:

2. Resolution ratifying an Agreement for EMS ambulance services between Aero-Skagit Emergency Services, Inc. and Skagit County. **(Resolution No. R20080085)**
3. Agreement for EMS ambulance services between Aero-Skagit Emergency Services, Inc. and Skagit County. The agreement commenced on January 1, 2008, and shall continue through December 31, 2008. This agreement is funded with EMS levy funds and the County agrees to pay Aero-Skagit a total of \$466,983.92. **(Contract No. C20080118)**

c) HEALTH DEPARTMENT:

4. Amendment No. 7 to 2007-2011 Consolidated Contract No. C20070142 with the Washington State Department of Health, which adds \$198,112 for the "5930 Public Health Funding", and the related Statement of Work for a new contract total of \$1,373,529. The contract duration remains January 1, 2007, through December 31, 2011. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20080018)**

d) PROSECUTING ATTORNEY:

5. County Program Agreement between Skagit County and the State of Washington Department of Social and Health Services to provide Title IV-D Services to the Prosecuting Attorney's Family Support Division, including cases where the venue lies in Island County. The agreement shall commence on March 1, 2008, and continue through December 31, 2008. No financial compensation is being paid.

(Contract No. C20080119)

6. Quit Claim Deed and Excise Tax Affidavit between Skagit County and James O. Lyon and Penny E. Lyon, which reflects a government transfer of unopened road right-of-way in the Plat of the Town of Montborne. No monetary consideration is being paid. **(Contract No. C20080120)**
 7. Quit Claim Deed and Excise Tax Affidavit between Skagit County and Edward P. Wardell and Gail A. Lewis, which reflects a government transfer of unopened road right-of-way in the Plat of the Town of Montborne. No monetary consideration is being paid. **(Contract No. C20080121)**
- e) SHERIFF'S OFFICE:
8. Resolution modifying a fee schedule for the Skagit County Sheriff's Department. **(Resolution No. R20080086)**
- f) TREASURER'S OFFICE:
9. Resolution ratifying Amendment No. 8 to License Agreement No. 04743 with Balanced Action, Inc. **(Resolution No. R20080087)**
 10. Amendment No. 8 to License Agreement No. 04743 with Balanced Action, Inc., which extends the Cashtax ULID/WATER QUALITY LOAN module to allow tracking, management, and reporting of grant based principal reductions to loan payment schedules. Payment of \$5,200 will be due upon completion of module and installation in production environment. All other terms and conditions of the original agreement shall remain in effect. **(Amendment No. A20080019)**
- g) YOUTH & FAMILY SERVICES:
11. Amendment No. 1 to Personal Services Agreement No. C20070051 with Diane J. Lowry, which replaces Exhibit B regarding compensation. Maximum compensation is not to exceed a new total of \$30,000. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20080020)**
 12. Resolution ratifying an Interlocal Agreement between Skagit County and the State of Washington Administrative Office of the Courts. **(Resolution No. R20080088)**
 13. Interlocal Agreement, per Resolution No. R20030306, between Skagit County and the State of Washington Administrative Office of the Courts, which allows Skagit County Juvenile Court to handle Truancy, At Risk Youth and Child in Need of Services programs within Skagit County's jurisdiction, pursuant to Chapter 13.32A, Revised Code of Washington. The agreement commenced on July 1, 2007, and shall continue through June 30, 2009. The contractor shall be reimbursed a maximum of \$464,360 for costs incurred during the contract period. **(Contract No. C20080122)**
 14. Amendment No. 1 to Personal Services Agreement No. C20060463 with Hulda Mazariegos, which replaces Exhibit B regarding compensation. Maximum

compensation is not to exceed a new total of \$45,000. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20080021)**

h) PUBLIC WORKS DEPARTMENT:

15. Resolution authorizing the sale of a vehicle to the Mount Vernon School District for the full price of \$1,800. The vehicle, a 1996 Ford pickup, has been declared surplus by Resolution No. R20070623. **(Resolution No. R20080089)**
16. Resolution authorizing approval of a Quit Claim Deed to the Washington State Department of Transportation for their State Route 20 project in the Fredonia to Pulver Road area. **(Resolution No. R20080090)**
17. Quit Claim Deed to the Washington State Department of Transportation for their State Route 20 project in the Fredonia to Pulver Road area. The Deed covers County right-of-way within the project limits. **(Contract No. C20080123)**
18. Ratification resolution allowing Skagit County to enter into an Interlocal Agreement with Skagit County Sewer District No. 2. **(Resolution No. R20080091)**
19. Resolution authorizing an Interlocal Agreement between Skagit County and Skagit County Sewer District No. 2. **(Resolution No. R20080092)**
20. Interlocal Agreement between Skagit County and Skagit County Sewer District No. 2 to share the cost of conducting a financial feasibility study to evaluate using reclaimed wastewater to mitigate for future domestic withdrawals in the Nookachamps Creek where water withdrawals have been limited by recent adoption of Chapter 173-503 Washington Administrative Code. The County's expenses, estimated to be \$15,000, will be offset by grant funds from the Department of Ecology. The agreement commenced on January 1, 2008, and shall continue through March 31, 2008. **(Contract No. C20080124)**
21. Resolution ratifying Amendment No. 1 to Vendor Services Agreement No. C20070361 with AquaTechnex, LLC. **(Resolution No. R20080093)**
22. Amendment No. 1 to Vendor Services Agreement No. C20070361 with AquaTechnex, LLC, which increases compensation by \$3,000 for a new contract total of \$93,000. The extra funds are needed because grant regulations require herbicide monitoring and testing after treatment. Compensation for these monitoring activities was not included in the original contract. All other terms and conditions shall remain in effect. **(Amendment No. A20080022)**
23. Amendment No. 1 to Interlocal Agreement No. C20070462 between Skagit County and the State of Washington Department of Ecology (Coastal Zone Management Fund Grant Agreement No. G0800009). This amendment allows the parties to scale down project costs by deleting and replacing Task 5: Low Impact Development Projects. The original LID project was too expensive, so the amended LID project will allow the parties to incorporate pervious paving and one or more rain gardens as a demonstration project at the Port's "O" Avenue restoration project site. All other terms and conditions of the original contract shall remain in effect. **(Amendment No. A20080023)**

24. Resolution authorizing an Interlocal Agreement between Skagit County and the Skagit Conservation District to perform work on a reimbursable basis and assist the County in completing certain tasks related to the implementation of agricultural and other best management practices consistent with Skagit County's Critical Areas Ordinance and Clean Water Program in 2008. The resolution is also intended to ratify coverage back dated to January 1, 2008. **(Resolution No. R20080094)**
25. Interlocal Agreement between Skagit County and the Skagit Conservation District, which allows the Conservation District to perform work on a reimbursable basis to assist the County in completing certain tasks related to the implementation of agricultural and other best management practices consistent with Skagit County's Critical Areas Ordinance and Clean Water Program in 2008. The agreement commenced on January 1, 2008, and shall continue through December 31, 2008. Total compensation is not to exceed a maximum amount of \$109,000. **(Contract No. C20080125)**

III. 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, the Board by majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:
 - a) ACH Transfer Request Form and Certification to Trusteed Plans Services Corporation from Clearing Fund 696 in the total dollar amount of \$143,199.08 (Transmittal No. C-20-08); and
 - b) Warrants numbered 267041 through 267495 from Clearing Fund 696 in the total dollar amount of \$4,818,653.92 (Transmittal No. C-21-08).

IV. ADJOURNMENT:

Chairman Munks adjourned the proceedings.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Don Munks, Chairman

Kenneth A. Dahlstedt, Commissioner

Sharon D. Dillon, Commissioner

ATTEST:

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