

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
TUESDAY, MAY 4, 2010**

The Skagit County Board of Commissioners met in regular session on Tuesday, May 4, 2010, with Commissioners Sharon D. Dillon, and Kenneth A. Dahlstedt present.

I. CALL TO ORDER:

Chair Dillon called the proceedings to order at 8:01 a.m. and excused Commissioner Wesen's absence.

II. PLEDGE OF ALLEGIANCE:

Chair Dillon led the gallery in the salute to the flag.

III. AGENDA:

- a) 8:00 a.m. -8:30 a.m. Public Works Operations, Ferry, and Solid Waste Division Work Session

Thomas G. Ballard, Interim Director, introduced Cliff Bulter, Manager of Road Operations, who informed the Board that yesterday's weather was very unusual. Besides running a snow plow, employees were out until 8:00 p.m. working on clearing roads of fallen trees and debris. Eighteen roads were impacted by fallen trees in the storm. Mr. Butler stated that when trees fall into power poles, or when power poles are down, Public Works must first wait for the power company to come to the site to work on clearing the trees.

Andy Shaw, Assistant Operations Supervisor, stated that they were busy cleaning up after the windstorm. Two of the eighteen roads are still closed: one on Fir Island and one in Clear Lake. Mr. Shaw also updated the Board on other projects in the area. There is a beaver issue at Rockport Cascade by the hatchery that needs attention. There are some danger trees on Samish Island that an arborist evaluated and will be removed once they get approval from the Department of Fish and Wildlife, and Sinclair Dock will be checked for storm damage.

Kelly Allen, District 1 Road Maintenance Supervisor, updated the Board on the current road projects. There was a lot of damage in Anacortes caused by the wind storm. Mowing has begun.

Dale Klinger, District 2 Maintenance Supervisor, stated most of the drainage complaints have been resolved. They are doing some work on issues at Cascade Ridge. Construction projects will be started soon and they may fall behind on mowing this year due to staffing.

Brad Penneke, District 3 Maintenance Supervisor, stated that the drainage project on Cascade River Road is completed. Work on Sauk Road and Old Sauk Valley Road is completed. They are doing spot repair work on the roads, mowing, and

brush cutting. Many roads are getting ready for chip sealing.

Chris Kowitz, Environmental Specialist, has been working with the Parks Department on repairs to the Cascade Trail. A gate has been installed at Robinson Road in order to keep out vehicles and trash. Work is being done on the National Pollutant Discharge Elimination System phase two and the drainage system for the wash rack in Burlington is being redone.

Mike Elde, ER&R Fund Coordinator, updated the Board on the status of vehicles and equipment within each district. A company is still being sought to auction off the surplus furniture. There are new energy efficient lights in the shop. A transfer switch will be installed soon so that work in the shop can continue when power is lost. The wash rack and sand and salt shed are being updated according to the National Pollutant Discharge Elimination System phase two. A crushing contract has started. And, the radio re-banding project is completed but it is still on hold.

George Stucks, Shop Supervisor, stated that they may need to do some repair work on the ferry docks due to the wind storm. The utility boxes on some trucks which may be surplus are being re-equipped to be fitted onto the new trucks. The air compressor is being fitted with an oil separator to keep the small amounts of oil contained, which are sometimes released when the machine lets out air pressure.

Rachel Beck, Interim Guemes Island Ferry Manager, informed the Commissioners that the stormy weather shut down the ferry until 5:00 p.m. They were able to communicate with the Islanders and the Ferry Committee helped spread the word. The bolting system on the docks will be changed due to damage from the wind storm. Ms. Beck stated all of this happened on her first official day as Interim Ferry Manager. Ms. Beck updated the Board on each of the current projects. She wanted to point out that the ferry office will not always be staffed. She thanked the ferry crew for their hard work.

Kevin Renz, Solid Waste Division Manager, informed the Board that they received the completed submittal from the consultant for the new transfer station and that they are reviewing the document for final draft for the bid package. Mr. Renz stated that operations going well.

b) 8:30 a.m. -9:30 a.m. Public Works- Thomas G. Ballard, Interim Director:

1. Public Hearing/Possible Action: Consideration of a Resolution Declaring the Acquisition of Land or Property to be a Public Use and Necessary for County Purposes and Authorizing the Use of Eminent Domain Powers for the Road Improvement Project Described as the Francis Road Reconstruction Project

Thomas G. Ballard informed the Board that part of this project is being funded by a Federal Grant. There are many regulations and rules which the county must follow regarding this project: federal regulations, state laws, and county code for acquiring property for public use.

Mr. Ballard explained the process involved, which he said starts with working with the property owners and informing them of their rights. An appraisal will be performed on the property with another review appraisal

which sets the fair market value of the property for acquisition. Mr. Ballard stated that government cannot offer less than what the fair market value is and that, if extenuating circumstances are shown, government can offer more than the fair market value. There are authorities in place to settle any potential negotiation disputes and there are also strict limits on how much government can offer over the fair market value. If, through good faith negotiations, settlement on the fair market value cannot be agreed to, the Board of County Commissioners would be able to settle disputes before having to file a condemnation lawsuit through the prosecuting attorney's office.

Mr. Ballard stated that since this project is partially federally funded then Skagit County must acquire all property needed for this project before moving forward.

Paul Randall-Grutter, Project Engineer, showed the Commissioners the diagram of the planned realignment of the road. He stated this project will bring the road to safe standards.

Commissioner Dahlstedt remembered the Cook Road project and stated that of the entire length of the road only two or three property owners were still opposed to the project. He is hoping that negotiations go well with this project.

Chair Dillon opened public hearing at 9:07 a.m.

Ken Johnson of 12917 Magnolia Lane in Mount Vernon stated that he owns the parcels to the west of Francis Road and due to flooding in the area, he would like any extra material left over from this project.

Fred Devries of 12797 Thillberg Road in Mount Vernon also owns an affected parcel and stated that he would like any road spoils returned to him. He stated that this project will take seven acres away from his parcel. He is not sure how adequate compensation will be determined regarding the value of the land, since there is the value of future lost revenue to consider.

Chair Dillon asked for clarification on the seven acres of property that would be located on the other side of the newly constructed road and was informed that the seven acres would, indeed, be purchased from Mr. Devries and not split by the road.

Seeing no further public testimony forthcoming, Commissioner Dahlstedt made a motion to close the public hearing at 9:13 a.m., which was seconded by Chair Dillon. The motion passed unanimously.

A motion was made by Commissioner Dahlstedt to approve the Resolution declaring the acquisition of land or property to be a public use and necessary for county purposes and authorizing the use of eminent domain powers. **(Resolution No. R20100153)** Chair Dillon seconded the motion.

The vote passed unanimously. Commissioner Ron Wesen's absence was excused

2. Presentation: Certificate of Commendation to Gary Sorensen

Thomas G. Ballard, Interim Public Works Director, introduced Gary Sorensen. Mr. Sorensen has been with Skagit County for 16 years. Gary Sorensen indicated that he has been glad to work at Public Works and appreciates his co-workers. He said he has accepted another job in another county and was not able to say no to the opportunity.

Commissioner Dahlstedt read the presented Water Resources Section Manager Gary Sorensen with a Certificate of Commendation in recognition of the dedicated public service he has rendered for Skagit County.

3. Miscellaneous

- c) 9:30 a.m. - 10:00 a.m. Proclamation Declaring May 2 through May 8, 2010 as Wildfire Awareness Week in Skagit County

Chair Dillon reconvened the proceedings at 9:31 a.m.

Al Craney, Forester with Skagit Conservation District, stated that they are preparing, along with other entities, the Community Wildfire Protection Plan. Mr. Craney discussed the Wildfire Protection Plan. He thanked the Commissioners for their support.

Ken Bullock of Hoxie Lane on Fidalgo Island was present to express his appreciation to those who helped him prepare his land in order for it to be fire safe. He decided to do this after attending a fire meeting at his local fire hall. He can now manage his property and would like to encourage his neighbors and others in the county to do the same.

Rich Dodd, Resource Protection Coordinator at Washington State Department of Natural Resources, was present to inform the Commissioners that there have been more wildfires in Western Washington than Eastern Washington. The leading cause of fires used to be debris burning but is now recreational fires. Mr. Dodd stated that the department is still exchanging burn barrels for compost bins.

Kendra Smith, Natural Resources Coordinator, discussed the funding for the projects.

The Commissioners thanked the Skagit Conservation District for their work and stated that they appreciate the partnership.

Commissioner Dahlstedt read the proclamation designating May 2 through 8, 2010 as Wildfire Awareness Week.

Chair Dillon recessed the proceedings at 9:53 a.m.

- d) 11:30 a.m. - 11:45 a.m. Public Comment Period

Chair Dillon reconvened the proceedings at 11:31 a.m.

Seeing no public comment forthcoming, the Commissioners commented on Alternative Futures, Commissioner Dahlstedt's time in Washington D.C., and the reasons why they do not encourage development in forested areas. Chair Dillon recessed the proceedings at 11:39 a.m.

e) 1:30 p.m. - 2:00 p.m. Discussion/Possible Action Regarding Alternative Futures

The Skagit County Board of Commissioners met in regular session on Tuesday, May 4, 2010, with Commissioners Sharon D. Dillon, and Ron Wesen present.

Chair Dillon reconvened the proceedings at 1:30 p.m. Commissioner Dahlstedt was absent.

Gary Christiansen, Director of Planning and Development Services, introduced Kirk Johnson, Senior Planner, Team Leader, and Project Manager of Alternative Futures.

Kirk Johnson re-briefed the Board on the selection process for the Alternative Futures Citizens Advisory Committee. Mr. Johnson understands that the Commissioners want to be sure that people who would like to be involved are able to commit the time necessary for the project and who care about the community they live in. Mr. Johnson stated that one of the last issues which still needs to be addressed is who will make the final selections for the citizens committee. The cities would like to be involved in the process and Mr. Johnson would like some guidance from the Board so that he can proceed.

Since Commissioner Dahlstedt was not able to attend this session, Commissioner Wesen read his thoughts on the Alternative Futures Citizens Committee.

Chair Dillon agreed with Commissioner Dahlstedt's thoughts. She believes that the county would be the best advocates for spearheading this project and also thinks that it would be a good idea to consult with the cities through the Growth Management Act Steering Committee.

Commissioner Wesen stated that the county wants to know what the citizens want and that the county, along with the cities, are providing the back-up knowledge and know-how so that their plans can be implemented.

Chair Dillon informed Mr. Johnson that the Skagit Council of Governments should also be approached for their input and approval. Skagit County would like to keep everyone involved in this process from beginning to end.

Some meeting details and timelines were discussed. Mr. Johnson is hoping to appoint members in July and start the meetings in September. Mr. Johnson reiterated that the Growth Management Act Steering Committee would be approached for their approval and that the Commissioners would make the final decisions on the members of the citizens committee.

A motion was made by Commissioner Wesen to approve that the County shall issue a broadly distributed request for Letters of Interest for participation on the Alternative

Futures Citizens Committee, following the guidance provided to project staff by the Board of County Commissioners in work sessions on April 27, 2010, and May 4, 2010. Chair Dillon seconded the motion.

The vote passed unanimously. Commissioner Kenneth A. Dahlstedt's absence was excused

IV. ADJOURNMENT:

Chair Dillon adjourned the proceedings at 1:47 p.m.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Sharon D. Dillon, Chair

Ron Wesen, Commissioner

Kenneth A. Dahlstedt, Commissioner

ATTEST:

Linda Hammons, Clerk of the Board
Skagit County Board of Commissioners