

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
TUESDAY, AUGUST 17, 2010**

The Skagit County Board of Commissioners met in regular session on Tuesday, August 17, 2010, with Commissioners Sharon D. Dillon, Ron Wesen, and Kenneth A. Dahlstedt present.

I. CALL TO ORDER:

Chair Dillon called the proceedings to order at 8:01 a.m.

II. PLEDGE OF ALLEGIANCE:

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

III. AGENDA:

a) 8:00 a.m. - 9:00 a.m. Public Works - Thomas G. Ballard, Interim Director:

1. Public Hearing/Possible Action: Consideration of a Resolution Regarding the Abolishment and Distribution of Assets of the Sedro-Woolley Sub-Flood Control Zone

Jan Flagan, Surface Water Manager, indicated that the boundaries and levy rates for the Sedro-Woolley Sub-Flood Control Zone (SFCZ) were established by resolution on or about March 28, 1972, for the purpose of constructing capital flood and stormwater control improvements and for the purposes of paying for the cost of maintenance and operations of the facilities. Several projects have been constructed and funded by this zone, the most recent being a tree planting restoration project in 2008. For many years the primary task of the zone has been the continued maintenance of the Brickyard Creek Corridor. An extensive mowing and channel cleaning project has taken place over the last two years.

Ms. Flagan stated that there are 2,100 parcels within 1,865 acres. The northern portion of the zone extends south of Mosier Road between Hwy. 9 and Fruitdale Road. Holtcamp Road at Hwy. 20 is the southwestern boundary. Approximately 70% of this SFCZ is within the Sedro-Woolley City limits.

Ms. Flagan indicated the annual assessments total \$20,000 and are determined by land building values. She said this zone has a substantial fund balance.

Ms. Flagan went on to say that the Skagit County Drainage Utility was established in 1994. She said its purpose is to fund all or any part of the cost of all expenses related to the acquisition, installation, addition, improvement, replacement, repair, maintenance, operation, or administration of stormwater control facilities. She indicated that an Interlocal Agreement with the City of Sedro-Woolley could be executed to enable the City to complete projects or continue maintenance with Drainage Utility funds that would be transferred from the SFCZ.

Chair Dillon announced that Council Member Tony Splane, of the City of Sedro-Woolley, and the Mayor of Sedro-Woolley, Mike Anderson, were present in the

gallery.

Chair Dillon opened the public hearing at 8:09 a.m.

Mark Freiberger, City of Sedro-Woolley Director of Public Works, thanked Skagit County staff for their assistance in working with the City on the proposed Interlocal Agreement. Mr. Freiberger provided background on the urban flooding that occurred about two years ago. He went on to state that the flooding occurred due to issues with maintenance of the Brickyard Creek.

Mr. Freiberger stated that the City was supportive in taking over the responsibility of the SFCZ but they had concerns about the cost and the number of projects that still need to be completed, and said the City would require more time to work out the details of the Interlocal Agreement. He went on to say that, due to budgetary constraints, the City had limited staff to provide maintenance to the Creek at this time. He discussed the annual assessments and the fund balance of \$314,658.51. He stated the current rate structure would not cover the projects that are needed to maintain the creek on an annual basis. He proposed the Management Plan be updated to identify all the projects that need to be completed, and how to handle contributions of the 189 parcels that are outside of the city limits.

He requested the County consider allowing a year to dissolve the Sedro-Woolley Sub-Flood Control Zone, which would allow the City and County to do an orderly transfer. Mr. Freiberger proposed the dissolution of the zone and transition take place on or about January of 2012.

Ms. Flagan submitted a public comment letter that was received from Velma H. Walker of 726 Northern Ave in Sedro-Woolley. Ms. Flagan stated that the abolishment of the SFCZ and working with the City on the Interlocal Agreement were issues that could be dealt with separately.

Mr. Freiberger stated that the City would prefer to have the details of the Interlocal Agreement resolved before the SFCZ is dissolved.

Seeing no further testimony forthcoming, Commissioner Wesen made a motion to close the public hearing at 8:26 a.m. Commissioner Dahlstedt seconded the motion, which passed unanimously.

Chair Dillon announced that a decision on this matter would be made on September 7, 2010, during Public Works standalone agenda.

2. Public Hearing/Possible Action: Consideration of Adoption of Revision No. 2 to the 2010-2015 Six-Year Transportation Improvement Program

Ann Marie Gutwein, Programs Section Manager, presented Revision 2 to the 2010-2015 Six-Year Transportation Improvement Program. She stated the revision is necessary in order to place federal grant information on the TIP/STIP so that the federal funds may be obligated for right-of-way on the Anderson LaVenture Extension Project. Ms Gutwein went on to say that the projects of regional or statewide significance would be forwarded by the Skagit Council of Governments to the Washington State Department of Transportation (WSDOT). She said that WSDOT would include the projects on the State Transportation Improvement Program.

Ms. Gutwein went on to say that when the new funding information is placed on the Transportation Improvement Program and the Commissioners have adopted it, the federal funding for right-of-way for the Anderson Laventure Extension Project can be obligated and spent.

Chair Dillon opened the public hearing at 8:36 a.m.

Seeing no public testimony forthcoming, Commissioner Dahlstedt motioned to close the public hearing at 8:37 a.m. Commissioner Wesen seconded the motion, which passed unanimously.

A motion was made by Commissioner Dahlstedt to approve adopting the Revision No. 2 of the 2010-2015 Six-Year TIP. (**Resolution No. R20100290**) Commissioner Wesen seconded the motion. The vote passed unanimously.

3. Proclamation - Flood Awareness Week in Skagit County

Dan Berentson, Natural Resources Division Manager, presented a proclamation declaring October 18, through 22, 2010, as Flood Awareness in Skagit County. Mr. Berentson stated that extreme flooding has been a serious threat to the Skagit Valley since the 1800s. The community has spent years safeguarding life, property, and infrastructure. He said the effort continues with such things as the Skagit River General Investigation, the Skagit River Comprehensive Flood Hazard Management Plan, and Flood Awareness Week.

Mr. Berentson emphasized that Flood Awareness Week is more than just about flood awareness, it also involves public safety and preparing for a flood.

Commissioner Wesen read a proclamation declaring October 18, through 22, 2010, as Flood Awareness Week in Skagit County.

4. Miscellaneous

There were no miscellaneous items for Public Works to discuss.

Chair Dillon recessed the proceedings at 8:48 a.m.

b) 9:00 a.m.- 9:30 a.m. Public Hearing to Consider Testimony Regarding Adopting the Administrative Rules Governing Production of a Local Voters' Pamphlet

Chair Dillon reconvened the proceedings at 9:03 a.m.

David Cunningham, Skagit County Elections Supervisor, stated that the purpose of the administrative rules is to establish the requirements for all participants involved in the production and distribution of a voter's pamphlet in Skagit County. He said these rules serve as guidelines for the production of the Online Voters' Guide, but should not be interpreted as requirements for the Online Voters' Guide. Mr. Cunningham stated the Voters' Pamphlet Administration Rules are available for

viewing on www.skagitcounty.net (under the Auditor's website, Elections' tab).

Chair Dillon opened the public hearing at 9:09 a.m.

Seeing no public testimony forthcoming, Commissioner Dahlstedt made a motion to close the public hearing at 9:09 a.m. Commissioner Wesen seconded the motion, which passed unanimously.

The resolution to adopt the administrative rules will be presented on the Consent Agenda at a later date.

Chair Dillon recessed the proceedings at 9:10 a.m.

- c) 10:00 a.m. -11:00 a.m. Public Hearing/Possible Action: Consideration to Rescind Resolution No. R20080495 Regarding Lane Restrictions for South Shore Road No. 19000 and Establishing South Shore Road as a Two-Way Operation with Pullouts

Chair Dillon reconvened the proceedings at 10:01 a.m.

Rob McGaughey, P.E., County Engineer, was present and introduced Forest Jones, Traffic Technician.

Mr. Jones provided a PowerPoint presentation regarding South Shore Road, Guemes Island, and provided a brief history of the 2009 geotechnical examination. Mr. Jones also thanked the South Shore Road Advisory Committee for their hard work in developing recommendations for South Shore Road. He went on to provide a summary of the nine public comments in favor of the two-way plan; eight public comments against the two-way plan; and one comment in favor of a compromise.

Chair Dillon opened the public hearing at 10:21 a.m.

Edith Waldren of 6203 South Shore Road, Guemes, member of the South Shore Road Committee, said the Committee met for nine months, every week, and authored a book of recommendations for the short-term and long-term recommendations of South Shore Road. Ms. Waldren said many of the concerns were to return to two-way traffic as soon as possible. She said that ten members voted unanimously to accept Public Works recommendations, mark the road when there is a dangerous edge in order to warn pedestrians and cyclists, reduce the speed limit; and make the flexible road dividers out of sturdier material.

Veronica Leach, of 6151 South Shore Road; Sally Smith of 7140 Glencoe Lane; Ann Pascerelli of 6124 South Shore Road; Bruce Ronney of 7844 South Beach Lane, Dennis Wyatt of 5743 South Shore Road; Irv Smith of 7140 Glencoe; all spoke in favor of the two-way road and in favor of reducing the speed limit on the road.

Wynn Anderson of 6237 South Shore Road, said he was on the committee and voted in favor of the two-way. He said he has concerns about the safety of the two-way plan, protection of the bank, and that no action should be taken until the surveys are completed.

Carol Ehlers of Fidalgo Island, and a member of the Planning Commission, spoke about the need for access to the Holiday Hideaway section of the Island. Ms. Ehlers said that the Department of Natural Resources has recorded the area of Holiday

Hideaway as an extreme fire hazard. She also commented on the need for emergency vehicles to access the Holiday Hideaway section of the Island.

There was a brief discussion regarding the timeline once the Board approves the resolution. Chair Dillon stated that there would be a decision made on or before September 7, 2010.

Commissioner Wesen made a motion to close the public hearing at 10:50 a.m. Commissioner Dahlstedt seconded the motion, which passed unanimously.

Chair Dillon recessed the proceedings at 10:54 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, Chair Dillon closed the public comment period at 11:31 a.m.

IV. ADJOURNMENT:

The Commissioners commented on several events at the Skagit County Fair and thanked staff and volunteers for a successful 2010 Skagit County Fair. The Commissioners also thanked Skagit County Island Builders Association (SCIBA) for building the main stage.

Commissioner Wesen announced that the County would be closed on Friday, August 20, 2010, due to a mandatory closure day.

Chair Dillon adjourned the proceedings at 11:37 a.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