

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
TUESDAY, JUNE 4, 2013**

The Skagit County Board of Commissioners met in regular session on Tuesday, June 4, 2013, with Commissioners Sharon D. Dillon, Ron Wesen, and Kenneth A. Dahlstedt present.

I. CALL TO ORDER:

Chair Dillon called the proceedings to order at 8:30 a.m.

II. PLEDGE OF ALLEGIANCE:

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

III. AGENDA:

a) 8:30 a.m. - 9:30 a.m. Planning and Development Services - Dale Pernula, Director:

1. Discussion/Work Session: Skagit County Urban Growth Area (UGA) Open Space Concept Plan Implementation

Director Dale Pernula mentioned that the Urban Growth Area (UGA) Open Space Concept Plan was adopted by the Board of County Commissioner on September 8, 2009. He pointed out that the next step would be to form a UGA Open Space Advisory Committee. Mr. Pernula indicated that in April of 2012 the Skagit Council of Governments (SCOG) contracted with Skagit Healthy Communities in part to coordinate with Skagit County and other stakeholders to implement UGA Open Space Plan. The scope of the contract was limited to elements that pertain to non-motorized transportation portion of the Plan.

There was a discussion regarding establishing a Skagit County UGA Open Space Advisory Committee, the support staff for the Committee, funding that would be needed to set up the Committee and implement the plan, and the need for communication with the cities, towns and community partners to develop the Committee.

Ms. McNett Crowl discussed the potential composition, function, structure and tasks of the UGA Open Space Advisory Committee and her portion of the work which she said would relate to non-motorized transportation.

Commissioner Dillon discussed the possibility of having SCOG coordinate the development of the Committee. Commissioner Dahlstedt and Wesen agreed and tasked Ms. McNett Crowl with adding the topic of creating the criteria and development of the UGA Open Space Advisory Committee to a future SCOG meeting agenda.

2. Miscellaneous

Mr. Pernula reported that building permit application activities were picking up and indicated that they were looking forward to a good construction season.

Chair Dillon recessed the proceedings at 9:34 a.m.

b) 9:30 a.m. - 9:45 a.m. Office of Assigned Counsel Introduction of New Staff: Office Assistant II Maria Cambron

Chair Dillon reconvened the proceedings at 9:30 a.m.

Director of Assigned Council Letty Alvarez introduced Staff Assistant II Maria Cambron. Ms. Cambron provided a brief history of her professional experience.

The Commissioners welcomed Ms. Cambron to Skagit County.

Chair Dillon recessed the proceedings at 9:34 a.m.

- c) 10:00 a.m. - 10:30 a.m. Parks, Recreation and Fairgrounds - Brian Adams, Director:

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

1. Discussion/Possible Action: Bid Award for Cascade Trail Mile One (1) Trailhead Project #ES97-74

Director of Parks, Recreation and Fairgrounds Brian Adams provided a drawing depicting the Fruitdale Road parking area and explained the need for the project. He indicated that the surface to be paved was a ten (10) foot wide surface. Mr. Adams indicated that the asphalt surface parking facility and trail would be safer and more aesthetically pleasing for trail users and would reduce maintenance costs. He indicated that the project had received multiple letters of support from a number of agencies. He thanked Dr. Larry Campbell and the Sedro-Woolley Rotary Club for all their hard work and dedication to the Cascade Trail Mile One (1) Trailhead Project.

Ryan Walters, Civil Deputy Prosecuting Attorney, provided information in response to public comments that non-motorized transportation projects were required to be added to the Transportation Improvement Program (TIP). He indicated that this project was not on TIP because it was a recreation project and not a transportation project. He stated the project was on the Capital Facilities Plan, which has had multiple levels of review and was part of the Comprehensive Plan.

Mr. Walters further addressed concerns that the railroad corridor was a taking of property. He explained that the takings issue had been resolved when Skagit County first obtained rights to the railroad corridor when the Burlington Northern Railroad (Railroad) decided to discontinue use of the corridor. He indicated that when the Railroad discontinued use of the of railroad corridor, they filed an application with the Surface Transportation Board which triggered a provision in federal law, the National Trails System Act, that allowed Skagit County to obtain use of the railroad corridor and operate it as a trail. Mr. Walters indicated that the State Court of Appeals have addressed the takings matter and have said that there was not an issue of a takings and there was not a constitutional problem. Mr. Walters stated that the matter was settled in 2001.

Commissioner Dahlstedt said that trails have been identified by numerous members of the community as an important need. He indicated that the cost to maintain the trail would be less if the trail was paved and he thanked the Sedro-Woolley Rotary Club for their hard work and commitment to the community.

Commissioner Wesen thanked the Sedro-Woolley Rotary Club for the improvements made to the trail and the parking lot. He expressed concerns about the cost to remove the paved the trail if the Railroad decided to install a railway in the future.

Randy Good of 35482 State Route 20 in Sedro-Woolley said that he disagreed with Mr. Walters's assessment that the Rails to Trails was not a taking of property from landowners. He expressed concerns that if in the future the railroad reinstated the railway that it would cost additional funds to remove the paved trail. Mr. Good read from Chapter 8 of the Comprehensive Plan "Non-motored Transportation" and reiterated his concerns that the project was not added to the Transportation Improvement Project (TIP). He went on to show pictures of other projects that needed funding.

A motion was made by Commissioner Dahlstedt to approve the Resolution Awarding the Bid for the Cascade Trail Mile 1 Trailhead Project ES97-74 to Lakeside Industries, Inc. in the amount of \$143,162.75 (**Resolution No. R20130141**) Chair Dillon seconded

the motion.

The vote passed on a 2 - 1 vote with Commissioner Wesen dissenting.

A motion was made by Commissioner Wesen strike the amount of \$143,162.75 and substitute the amount of \$60,242.75 to pave the parking lot. The motion failed due to no seconder.

2. Miscellaneous

There were no miscellaneous items for Parks, Recreation, and Fairgrounds to discuss.

Chair Dillon recessed the proceedings at 10:28 a.m.

d) 11:30 a.m. - 11:45 a.m. Board of County Commissioners:

Chair Dillon reconvened the proceedings at 11:30 a.m.

1. Public Comment Period

County Engineer Paul Randall-Grutter provided an update of an interagency meeting he attended regarding the traffic flow due to the recent collapse of the Skagit River Bridge. He indicated that the Washington State Department of Transportation (WSDOT) have removed the temporary four-way stops signs from Francis Road and State Route 9 intersection in order to alleviate the traffic backups. He indicated that WSDOT was investigating whether to install a temporary light on Francis Road.

Mr. Randall-Grutter reported that WSDOT was continuing to adjust the detour routes in an effort manage the flow of traffic.

Public Works Director Henry Hash advised the public not to use Francis Road as a shortcut and to expect delays when using Francis Road.

Ed Stauffer of Bow spoke about the Planning Commissions' meeting scheduled for this evening. He noted that the public comment period was scheduled at the beginning of the meeting and that if there were a number of people wanting to provide public comment that there was not enough time set aside to hear everyone's comments. He spoke about the goals of the Transfer of Development Rights (TDR) effort and spoke about preserving the natural environment in the rural areas. He discussed the members and the roles of the Planning Agency. He suggested that a clock in the main lobby of Continental Place would be helpful, and complimented the work that Skagit 21 staff was doing.

Seeing no further public comment forthcoming Chair Dillon closed the public comment period at 11:48 a.m.

2. Miscellaneous Announcements

Chair Dillon expressed the Board's condolences to the family and co-workers of Washington State Patrol Trooper Sean M. O'Connell.

IV. ADJOURNMENT:

Chair Dillon adjourned the proceedings at 11:49 a.m.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Sharon D. Dillon, Chair

Ron Wesen, Commissioner

Kenneth A. Dahlstedt, Commissioner

ATTEST:

Clerk of the Board