

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
MONDAY, NOVEMBER 5, 2018**

The Skagit County Board of Commissioners met in regular session on Monday, November 5, 2018, with Chair Kenneth A. Dahlstedt, Commissioner Lisa Janicki, and Commissioner Ron Wesen present.

I. CALL TO ORDER:

Chair Dahlstedt called the proceedings to order at 8:45 a.m.

II. AGENDA:

- a) \*8:45 a.m. - 9:45 a.m. Briefing - County Commissioners/County Administrator with Public Works, Planning and Development Services, Public Health and Emergency Medical Services Departments

- b) Pledge of Allegiance:

Chair Dahlstedt reconvened the proceedings at 10:00 a.m. and led the gallery in the salute to the flag.

- c) 10:00 a.m. - 10:30 a.m. Workshop with Applicant Hal Rooks, Guemes Island Planning Advisory Committee (GIPAC) and Planning and Development Services Staff Regarding 2019 Comprehensive Plan Amendments Docket - Petition P-1: Rainwater Catchment Systems

Planning and Development Services Director Hal Hart and Senior Planning Stacie Pratschner noted that the Department was in receipt of six citizen-initiated Comprehensive Plan Amendment applications for consideration on the 2019 Comprehensive Plan Amendment Docket.

Hal Rooks with the Guemes Island Planning Advisory Committee (GIPAC) addressed the application to amend sections of the Seawater Intrusions Area, Skagit County Code 14.24.380, to include a new subsection. He proposed that Skagit County adopt a code amendment that would place rainwater catchment on an equal legal basis with drilled wells as a source of residential potable water. He stated that the concept of the proposal was that it would apply only to Guemes Island residents.

Mr. Rooks indicated that the proposal could be implemented by administrative action of the Planning Department.

Link to items submitted for the workshop:

<ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/11052018/>

- d) 10:30 a.m.- 11:00 a.m. Workshop with Applicant Nancy Fox, Guemes Island Planning Advisory Committee (GIPAC) and Planning and Development Services Staff Regarding 2019 Comprehensive Plan Amendments Docket - Petition P-2: Guemes Island Wells

Nancy Fox of Guemes Island said that the code amendment on wells was designed to serve as a package with the proposed code changes related to rainwater catchment. Ms. Fox said that the Guemes Island was unique in that it was considered a sole source aquifer, an environmentally critical area, a category 1 aquifer recharge area, and a seawater intrusion area. She indicated that the proposed code amendment on wells was intended to make it even more explicit what the code required that any new wells on Guemes Island receive County approval in advance of drilling and that new wells be assessed and County decisions on new wells must protect the quality and quantity of the aquifer.

Alan Bush of Guemes Island provided an example of a well that had been drilled without advance notice being given.

There was a discussion about whether there were other counties in Washington State that

required review and approval by the Planning Department prior to a well being drilled; measuring the amount of water that was taken from the ground and the possibility installing a Public Utility waterline on the Island.

Commissioner Dahlstedt mentioned that permits for wells were issued by the Washington State Department of Ecology.

[Link to items submitted for the workshop:](#)

<ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/11052018/>

Chair Dahlstedt recessed the proceedings at 10:42 a.m.

- e) [11:00 a.m. - 11:30 a.m. Workshop with Applicant Skagit Surveyors & Engineers, for Mangat Estates, and Planning and Development Services Staff Regarding 2019 Comprehensive Plan Amendments Docket - Petition P18-0404: Mineral Resource Overlay \(MRO\) Removal](#)

Chair Dahlstedt reconvened the proceedings at 11:03 a.m.

Ms. Pratschner noted that the representative for Skagit Surveyors was running late. She outlined the location of the property and noted that it was Lot 10 of the plat of Mangat Estates, which was approximately 9 acres. The subject parcel was approximately 3.5 miles north of the City of Sedro-Woolley, immediately east of Highway 9.

Geologist John Cooper explained the method used to identify how the county identified locations with mineral bearing materials. He explained that due to a further geologic investigation, the original map overlay was inaccurate.

Ms. Marianne Manville-Ailes with Skagit Surveyors joined the proceedings at 11:10 a.m. and addressed the process to correct map errors and provided information about the location of the resource land.

[Link to items submitted for the workshop:](#)

<ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/11052018/>

Chair Dahlstedt recessed the proceedings at 11:17 a.m.

- f) [11:30 a.m. - 12:00 p.m. Workshop with Applicant Bill Sygitowicz, Skagit Partners LLC, and Planning and Development Services Staff Regarding 2019 Comprehensive Plan Amendments Docket - Petition PL18-0405: Avalon Fully Contained Community](#)

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

Simi Jain of Carmichael Clark, P.S., attorney representing Skagit Partners, addressed the proposed amendments to the Countywide Planning Policies, the Comprehensive Plan and the development regulations to enable the establishment of fully contained communities as a defined by the Revised Code of Washington (RCW) 36.70A.350. She outlined the request for a Comprehensive Plan land use/zoning map amendment to modify seventy parcels totaling 1,244 acres from Rural Resource Land (RR-NRL), Agriculture - Natural Resource Land (Ag-NRL), Rural Reserve (RRv), and the Mineral Resource Overlay (MRO) to support a mix of new residential, commercial, public, and open space land uses to support a fully contained community named Avalon.

Ms. Jain pointed out that the request would require amendments to the Countywide Policies, a number of Comprehensive Plan goals and policies, and amendments to the development regulations to permit fully contained communities in Skagit County.

Robert Carmichael of Carmichael Clark, P.S., attorney representing Skagit Partners, requested that the proposed amendments be placed on the 2019 docket to allow the applicant and the County to review the applications on their merits. He said that the allocation question to the Growth Management Steering Committee (GMASC) would be best answered after gathering information about the effects of a change to population allocation and that the GMASC could make a recommendation after public vetting and an environmental impact study had been completed.

[Link to items submitted for the workshop:](#)

<ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/11052018/>

Chair Dahlstedt recessed the proceedings at 12:00 p.m.

- g) 12:00 p.m. - 12:30 p.m. Workshop with Applicant Molly Doran, Skagit Land Trust, and Planning and Development Services Staff Regarding 2019 Comprehensive Plan Amendments Docket - Petition P-4: Great Blue Heron Protections

Chair Dahlstedt reconvened the proceedings at 12:04 p.m.

Executive Director of Skagit Land Trust Molly Doran explained that Skagit Land Trust was a private, non-governmental non-profit that conserved wildlife habitat, wetlands, agricultural and forest lands, scenic open space and shorelines. She explained that the proposal was to amend sections of the Critical Areas Ordinance, Skagit County Code 14.24, to strengthen protections for Great Blue Heron by mapping nesting habitats, creating buffer areas, and requiring review for heron buffer areas during the development and clearing permits process.

She noted that there was no guidance in Skagit Code on how to develop and apply a heronry management plan. Ms. Doran outlined activities that would be permitted within the Heronry Core Zone and provided examples of Heronry Management Plans.

Link to items submitted for the workshop:

<ftp://ftp.skagitcounty.net/countycommissioners/documents/agendapackets/11052018/>

Chair Dahlstedt recessed the proceedings at 12:31 p.m.

- h) 2:00 p.m. - 3:00 p.m. Consent Agenda, Vouchers, Warrants and Miscellaneous Items

Chair Dahlstedt reconvened the proceedings at 2:00 p.m.

1. Consent Agenda - Discussion:

Parks, Recreation and Fair Director Brian Adams provided additional information about Consent Agenda item 7.

Ferry Operations Manager Rachel Rowe provided additional information about Consent Agenda item 9.

Road Maintenance Division Operations Manager Andy Shaw provided additional information about Consent Agenda item 11.

Sheriff Will Reichardt provided additional information about Consent Agenda item 13.

2. CONSENT AGENDA FOR MONDAY, NOVEMBER 5, 2018 (items 1 through 13):

A motion was made by Commissioner Janicki to approve Consent Agenda items 1 through 13 including all items requiring ratification, vouchers and warrants, for Monday, November 5, 2018. Commissioner Wesen seconded the motion.

The vote passed unanimously.

- a) COMMISSIONERS:

1. Record of the Proceedings for Tuesday, October 23, 2018. **(Approved)**
2. Record of the Proceedings for Monday October 29, 2018. **(Approved)**
3. Record of the Proceedings for Tuesday, October 30, 2018. **(Approved)**
4. Record of the Proceedings for Thursday, November 1, 2018. **(Approved)**

- b) PARKS, RECREATION AND FAIR:

5. Amendment No. 2 to Funding Agreement No. C20160015 with Skagit Land

Trust to provide funding to secure additional lands through easements or acquisitions to expand open space corridors on Fidalgo Island, the “Fidalgo Open Space Corridors” project. This Amendment extends the term of the Agreement from December 31, 2018, to December 31, 2020. All other terms and conditions of the original Agreement and subsequent Amendment shall remain unchanged including the compensation amount not to exceed \$50,000, which is funded through the Special Pathways Fund 102 that is funded directly from gasoline tax revenues. **(Amendment No. A20180152)**

6. Amendment No. 3 to Funding Agreement No. C20160329 with Skagit Land Trust to provide funding for negotiating and securing a County public trail access to Big Rock Park. The County public trail access route is not yet determined and will need to be negotiated via easement, boundary line adjustment, and/or fee simple purchase. This Amendment extends the term of the Agreement from December 31, 2018, to December 31, 2020. All other terms and conditions of the original Agreement and subsequent Amendments shall remain unchanged including the compensation amount not to exceed \$50,000, which is funded through the Special Pathways Fund 102 that is funded directly from gasoline tax revenues. **(Amendment No. A20180153)**

7. Amendment No. 1 to Funding Agreement No. C20170111 with Skagit Land Trust (SLT) to provide reimbursement funding, at the rate of \$90 per hour, in exchange for the SLT providing assistance with the acquisition and permanent protection of lands in Skagit County that will contribute to a corridor for the County’s planned Centennial Trail. This Amendment extends the term of the Agreement from December 31, 2018, to December 31, 2020. All other terms and conditions of the original Agreement shall remain unchanged including the compensation amount not to exceed \$50,000, which is funded through the Special Pathways Fund 102 that is funded directly from gasoline tax revenues. **(Amendment No. A20180154)**

c) PUBLIC WORKS:

8. Resolution to call for a public hearing regarding the 2019-2024 Six-Year Transportation Improvement Program (TIP) to be held on Tuesday, November 27, 2018, at 10:30 a.m. or shortly thereafter as possible in the Skagit County Commissioners’ Hearing Room. **(Resolution No. R20180189)**

9. Declaration of Sole Source Vendor for outdrive maintenance and repair services provided by Pacific Star Marine, Inc., for the M/V Guemes. Due to the obsolescence of the outdrive motor, there is only one vendor, Pacific Star Marine, Inc., who can perform these services. **(Resolution No. R20180190)**

10. Interlocal Cooperative Agreement with the Port of Skagit to perform work, provide materials and equipment rental for roadway maintenance activities on a reimbursable basis for the Port of Skagit. In addition, 9% of the total cost shall be added for overhead costs for accounting, billing and administrative services. The Agreement shall commence on the date of execution and continue until December 31, 2023. **(Contract No. C20180545)**

11. Interlocal Cooperative Agreement with the City of Mount Vernon to perform work, provide materials and provide the use of County equipment operated by a County operator, for roadway maintenance and activities. The City shall reimburse the County for actual costs incurred for work, materials, and equipment rentals. In addition, 9% of the total cost shall be added for overhead costs for accounting, billing and administrative services. The Agreement shall commence on the date of execution and continue until December 31, 2023. **(Contract No. C20180546)**

d) SHERIFF:

12. Amendment No. 1 to Independent Contractor Agreement No. C20180245 with United General District #304 - Community Health Outreach Programs - Education Citation Pilot Program (ECP) for the purpose of executing Law Enforcement Partnership to implement strategies and activities to reduce underage drinking and to participate in the National Prescription Drug Take Back Day event at the Concrete Community Center. This Amendment extends the term of the Agreement from August 31, 2018, to October 1, 2018. Compensation remains at an amount not to exceed \$4,350. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20180155)**
13. Amendment No. 2 to Purchased Services Agreement No. C20180033 with the Humane Society of Skagit Valley to provide kennels for animals on a seven (7) day per week basis for care and feeding of all animals brought in by County representatives. This Amendment extends the term of the Agreement from December 31, 2018, to December 31, 2019, and increases compensation by \$60,000, for the additional calendar year, for a new compensation amount not to exceed \$120,000. All other terms and conditions of the original Agreement shall remain in effect. **(Amendment No. A20180156)**

3. VOUCHERS AND WARRANTS:

- a. 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 Service Corporation from Clearing Fund 696 in the total dollar amount of \$337,433.04 (Transmittal No. C-155-18); and
  - b) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$4,188.72 (Transmittal No. C-156-18); and
  - c) Warrants numbered 489668 through 490033 from Clearing Fund 696 in the total dollar amount of \$3,343,108.12 (Transmittal No. C-157-18); and
  - d) ACH Transfer Request Form and Certification to Trusteed Plans Service Corporation from Clearing Fund 696 in the total dollar amount of \$178,048.34 (Transmittal No. C-158-18).

- i) \*3:00 p.m. - 4:00 p.m. Executive Session (None Scheduled as of the Date of this Notice)

There were no executive sessions for the week of November 5, 2018.

- j) \*5:00 p.m. Economic Development Alliance of Skagit County Investor Appreciation Celebration (Museum of Northwest Art, 121 First Street, La Conner)

III. ADJOURNMENT:

Chair Dahlstedt adjourned the proceedings at 2:14 p.m.

**BOARD OF COUNTY COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON**

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Kenneth A. Dahlstedt, Chair

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Lisa Janicki, Commissioner

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Ron Wesen, Commissioner

ATTEST:

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Clerk of the Board