

**RECORD OF THE PROCEEDINGS**  
**SKAGIT COUNTY BOARD OF COMMISSIONERS**  
*Tuesday, September 16, 1997*

7:30 a.m. – 8:30 a.m.	Commissioners' Staff Meeting.
9:00 a.m. – 10:00 a.m.	Work Session – Community Rating System Repetitive Loss Plan.
*T 10:00 a.m. – 11:00 a.m.	Annual Work Plan Review by the Skagit Conservation District.
11:30 a.m. – 1:30 p.m.	Skagit County Association of Realtors 1997 Political Affairs Luncheon, Best Western Cottontree Inn Conference Center, Mount Vernon, Washington.
2:00 p.m. – 3:30 p.m.	Emergency Management Council Meeting.
6:00 p.m. – 7:00 p.m.	Public Hearing – Consideration of Proposed Bryson Road Sub-Flood Control Zone, U.S. Forest Service Building (Darrington Ranger Station, 1405 Emmens Street, Darrington, Washington).

The Skagit County Board of Commissioners met in regular session on Tuesday, September 16, 1997, with Commissioners Harvey Wolden, Robert Hart and Ted W. Anderson present.

**ANNUAL WORK PLAN REVIEW BY THE SKAGIT CONSERVATION DISTRICT.**

Carolyn Kelly, Skagit Conservation District, distributed to the Board a copy of the Implementation Grant Final Report. Grateful for County's participation in providing matching funds.

Commissioner Wolden commented on the buffering and fencing of streams and the need to continue this voluntary program.

Ms. Kelly indicated that the District would continue with these voluntary programs and the leveraging of County funds.

Ms. Kelly then reviewed the Annual Plan of Work for the Conservation District and advised that her staff would review their individual areas of this plan.

Al Craney, Service Forester, reviewed his work in enhancing forestry resources within the County. Mr. Craney advised that he assists in putting together long-term plans for forestry lands. He detailed many of the functions he is performing in concert with the Skagit Conservation District.

Kristi Carpenter, Education Program Coordinator, detailed her coordination of the Watershed Masters Program, advising that a new program is just beginning and the class is full. Ms. Carpenter also works with various schools throughout the County, educating students. Ms. Carpenter has also worked with Eagle Scouts in several projects. Ms. Carpenter will also be coordinating some septic quality workshops.

John Schuh, Resource Technician, explained his work with the dairy waste improvement grant for both Skagit County and Whidbey Island. He provides nutrient management and crop rotation information. Meetings with small groups of dairyman are proposed to get information out to the public.

Joe Holtcamp, Resource Technician, stated that his main focus will be on Padilla Bay farm inventory and writing farm plans. The Peth Demonstration Farm was explained by Mr. Holtcamp. The Implementation Review Committee was also explained. He is working on a watershed guidebook for Skagit County and the problems associated with such natural resources, and a Best Management Practices workshop.

The Board commented briefly on the need to proceed with implementation of the planning work done on the Samish, Nookachamps and Padilla Bay watersheds.

Dale Tenneson, Resource Technician, is responsible for implementing 20 miles of fencing done through a voluntary program utilizing grant funds. Many projects have escalated and are active throughout the year. Mr. Tenneson reviewed a contest that was held among high school students in a natural resource management. It concerned management of water, forestry and soils. Mr. Tenneson also deals with Department of Ecology dairy compliance.

Ms. Kelly introduced Chair Elizabeth Norton and Board Member Randy Barelt.

Commissioner Hart asked Ms. Norton about facilitation concerning the Critical Areas Ordinance to make some of these programs happen. He was wondering if there are funding sources to assist with farmland preservation and critical areas in implementing some of these programs. Ms. Kelly stated that she has office space that is available, but funding would need to be explored. Commissioner Hart stated that if we are going to get away from a regulatory approach, we need to enable some of these voluntary programs to help. Ms. Norton expressed her concern for funding. The District becomes more and more involved, and issues have become more complex.

Commissioner Anderson commented on setbacks for the critical areas ordinance.

Commissioner Hart commented on the lack of resources from the federal and state levels

Ms. Kelly advised that the District does not provide critical areas technical. All employees introduced today are grant funded and have a limited scope of work to perform.

A discussion ensued on the need to coordinate these programs through the Conservation District, tapping into available funding sources, and utilizing existing expertise in the Conservation District. Ms. Kelly indicated the District would continue to work with the Resource people in the Planning Department.

#### **MISCELLANEOUS.**

After a meeting of the Emergency Management Council, and the direction received at that meeting, the Board reviewed a proposed Resolution Directing that the Issue of an Enhanced 9-1-1 Operational Cost Levy be Placed on the November 4, 1997 General Election Ballot. Commissioner Hart moved to approve the Resolution as presented by Staff. Commissioner Anderson seconded the motion. Commissioners Hart and Anderson voted in favor of the motion, and Chairman Wolden voted against the motion. The motion passed. **(Resolution No. 16675)**

#### **PUBLIC HEARING – CONSIDERATION OF PROPOSED BRYSON ROAD SUB-FLOOD CONTROL ZONE, U.S. FOREST SERVICE BUILDING (DARRINGTON RANGER STATION, 1405 EMMENS STREET, DARRINGTON, WASHINGTON).**

Chairman Wolden opened the public hearing. He reviewed that the County had received a petition from local property owners to create a sub-flood control zone following damage repair that was done by the County last winter. Chairman Wolden stated that we now need to define the boundaries and take public testimony concerning the formation of the sub-flood control zone, and eventually establish an advisory committee. The Advisory Committee will determine the projects that will need to be completed. Chairman Wolden introduced John Abenroth, Public Works Surface Water Management Division, who gave a brief history of the project and the parameters of the sub-flood control zone.

Commissioner Anderson stated that once the sub-flood control zone is established, the property owners will be able to access other means of funding, including grants.

Mr. Abenroth explained that a sub-flood control zone is authorized by State law and is similar to a drainage district. The Board of County Commissioners would be the governing body, but would be given advice and direction from an appointed Advisory Committee. If this district is formed, Mr. Abenroth advised that it will be the tenth sub-flood control zone in Skagit County. This sub-flood control district is a taxing district that supports local citizens and reports to County Staff and the Board of the district's needs for the community.

Mr. Abenroth reviewed maps which detailed the change in the river's course and the affect on local property owners. A petition was signed by local property owners and a cost share was committed to by the Board of County Commissioners. Mr. Abenroth introduced Tom Kearns, Consultant, who has analyzed benefit area and maintenance plan and alternative maintenance plans. Mr. Kearns is also a property owner in the area.

Mr. Kearns detailed proposed costs for projects in the area and the resultant increase in property taxes.

An unidentified woman stated that if property taxes double, formation of the district is not worth it.

Commissioner Anderson commented on the difficulties of overcoming restrictions set by the Wild and Scenic River designation. Further, he explained that public monies cannot be used to protect private property. Commissioner Anderson stated that a sub-flood control district can apply for a flood control grant through the County, and that monies can be accumulated as a residual for larger projects in the future. He emphasized that it is better to be proactive that reactive in this regard.

Kathy Gatherer indicated that there are several families in the area who are on a limited income and will not be able to keep their property if higher taxes are imposed.

Mr. Kearns reviewed proposed annual budget alternatives.

Mr. Abenroth stated that if a sub-flood control zone is formed, property owners would be exempt from the Drainage Utility Tax of approximately \$25.

A discussion ensued on the proposed tax structure and the various options available. It was noted that the Advisory Committee would make recommendations for the taxing rate and would determine the priority of projects.

One gentlemen stated that he now has no access to his property, and is in need of an easement from a neighbor, who has refused such an easement. He asked if the County could grant such an easement. Mr. Abenroth replied that the County cannot give an easement across land the County does not own.

A discussion ensued on the exact work that was done and the permits that were required.

Tom Kearns, 5324 Bryson Road, stated that without a sub-flood control zone, the community cannot even begin to do what they want to do. He explained the scope of the previous project and the need to continue with the work that has been started. He further indicated the need to protect the entire neighborhood.

Commissioner Anderson stated that there are two issues here. First, the people in the area signed a petition during the course of events, basically an emergency situation. When the economic impacts are being looked at under normal conditions, financial considerations change. He urged those attending not to lose sight of the fact that the monies raised can be leveraged to obtain other funding and grants. The decisions lie totally with the community and will be decided by your Advisory Committee.

Chairman Wolden reiterated that the decision making is local and the amount of taxes imposed will be decided by the Advisory Committee.

Commissioner Anderson noted the success of the Hansen Creek Sub-Flood Control Zone.

An unidentified woman once again stated that the percent of increase in property taxes is too high.

A discussion ensued on the Advisory Committee's ability to set the rate of tax.

The levels of maintenance the County can provide were briefly discussed, and the parameters of emergency situations were reviewed.

A straw vote was taken and the consensus was in favor of the formation of the Sub-Flood Control Zone.

Stacy Mayer stated her support for the formation of the sub-flood control zone. She further indicated that the community can be given a voice in protecting their property.

The Board indicated their support of providing a guardrail and additional Sheriff's patrols to address concerns about activities along the riverbank.

There being no further public comment forthcoming, Commissioner Hart moved to close the public hearing. Commissioner Anderson seconded the motion, which passed unanimously. The public hearing was closed.

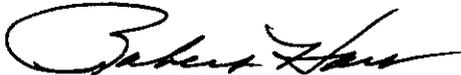
**ADJOURNMENT.**

Chairman Wolden made a motion to adjourn the proceedings. Commissioner Hart seconded the motion and it passed unanimously.

**BOARD OF COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON**



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Harvey Wolden, Chairman

  
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Robert Hart, Commissioner

  
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Ted W. Anderson, Commissioner

ATTEST:

  
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Patti J. Chambers, Clerk of the Board  
Skagit County Board of Commissioners