

**SKAGIT COUNTY COMMISSIONERS
RECORD OF THE PROCEEDINGS
TUESDAY, OCTOBER 23, 2001**

7:30 a.m. – 9:30 a.m.	Breakfast with Elected Officials and Washington State Association of Counties Officials at the Indian Motorcycle Café (1851 Bouslog Road, Burlington)
9:30 a.m. – 10:30 a.m.	Meet with Bill Vogler, Executive Director of Washington State Association of Counties
10:45 a.m. – 11:00 a.m.	Public Hearing – Supplemental Budget 2001
11:00 a.m. – 12:00 p.m.	Public Hearing – Lease of County Property at the Ovenell Transfer Station
*T 1:30 p.m. – 2:00 p.m.	<u>Planning & Permit Center, Tom Karsh, Director</u> <ol style="list-style-type: none">1. Set Date and Time for Public Hearing – To Consider Recommendation of the Skagit County Planning Commission regarding the Adoption of Open Space Corridors and Greenbelts Within and Between Urban Growth Areas (UGAs)2. Consideration of Proposed Ordinance Revising Skagit County Code 14.02.040 Appendix A to reflect updated City Codes for Implementation within the Urban Growth Areas as Adopted by Skagit County through Ordinance No. 18375
*T 2:00 p.m. – 3:00 p.m.	Public Hearing – Regarding the Adoption of Amendments to the Strategic Plan for Protecting Wild Salmonids to be now entitled Enhancement Actions and Programs as a Section in the Critical Area Ordinance (CAO)
3:15 p.m. – 4:45 p.m.	Budget Work Session
5:30 p.m. – 7:30 p.m.	Skagit Valley College – 75 th Anniversary Celebration Dinner (Mount Vernon Campus Cafeteria – 2405 East College Way)

The Skagit County Board of Commissioners met in regular session on Tuesday, October 23, 2001, with Commissioners Ted W. Anderson, Don Munks and Kenneth A. Dahlstedt present.

PUBLIC HEARING – SUPPLEMENTAL BUDGET 2001:

Chris Stamey, Financial Analyst, presented the Board with a Resolution to authorize a supplemental budget. He explained that Skagit County has secured a variety of additional grant funds after the budget adoption for Public Health, River Improvement, Conservation Futures and other funds, which need to be incorporated into the 2001 budget.

Mr. Stamey said the Current Expense Fund, Emergency Management, Law Library, and Senior Services will incur unanticipated expenditures that must be budgeted for, including increased utility costs for the campus buildings, addition of utility costs for emergency management's portion of the 911 building, and increased codification costs in the Law Library.

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The Department of Retirement systems has decreased its rates effective July 1, 2001 from 4.67% to 1.77%, which decreases the amount that Skagit County will pay toward employee retirement in 2001; therefore, it is necessary to modify the 2001 budget a this time to increase for additional grants, adjust for unanticipated expenditures, and move retirement savings to contingencies in the general fund and unreserved fund balances where appropriate.

Chairman Anderson opened the Public Hearing.

Don Bockelman, Day Creek, questioned the Board on the River Improvement funds. It was explained to him that the funds are used for projects along the Skagit River and utilization of those funds are the responsibility of the Public Works Department. Mr. Bockelman also said he would like to see more of an advanced notice sent to the public when it comes to large budget supplements.

Commissioner Munks motioned to close the Public Hearing. Commissioner Dahlstedt seconded the motion.

Commissioner Munks motioned to approve the Resolution authorizing the supplemental budget. Commissioner Dahlstedt seconded, and the motion passed. **(Resolution No. 18470)**

PUBLIC HEARING – LEASE OF COUNTY PROPERTY AT THE OVENELL TRANSFER STATION:

Chal Martin, Public Works Director, said the Public Hearing is being held to consider proposals for the design, construction, and operation of an electrical generating power plant on a portion of the Skagit County Transfer Station site.

Chairman Anderson opened the Public Hearing.

Norm Weiting, 13227 SE 54th Place, Bellevue, said he is the one who is interested in building the energy plant at the Transfer Station site. He believes that with an electrical substation and utility vault nearby as well as a natural gas line that runs adjacent to the site, it would be a perfect fit. According to Cascade Natural Gas, the gas line is ample enough to operate an electrical generation plant.

Paul Reilly, Civil Prosecuting Attorney, suggested that if the Board was interested in the proposal, a Notice of Intent should be issued as soon as possible. The County is not obligated to move forward until bids are received and discussions are held.

Chairman Anderson closed the Public Hearing.

Mr. Reilly said further discussion will take place during an Executive Session.

PLANNING & PERMIT CENTER, Tom Karsh, Director:

1. **Set Date and Time for Public Hearing – To Consider Recommendation of the Skagit County Planning Commission regarding the Adoption of Open Space Corridors and Greenbelts Within and Between Urban Growth Areas (UGAs)**

Chairman Ted Anderson opened the meeting. He explained that the purpose of the meeting is to set a time and date for the Commissioners to hear the recommendation of the Skagit County Planning Commission regarding the adoption of open space corridors and greenbelts within and between Urban Growth Areas.

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Kendra Smith, Assistant Director, Planning and Permit Center, provided a history of the development of the document. She explained that the Commissioners asked that some changes be made. The changes were substantial enough to hold another public hearing.

Commissioner Munks motioned to hold a public hearing on the Recommendation of the Planning Commission regarding the Adoption of Open Space Corridors and Green belts Within and Between Urban Growth Areas on Tuesday, November 27 at 2:30 p.m. with a decision by the Commissioners on Tuesday, December 4 at 11:00 a.m. Commissioner Dahlstedt seconded the motion, which passed unanimously.

2. Consideration of Proposed Ordinance Revising Skagit County Code 14.02.040 Appendix A to Reflect Updated City Codes for Implementation within the Urban Growth Areas as Adopted by Skagit County through Ordinance No. 18375

Kirk Johnson reported on a cleanup of a proposed ordinance revising Skagit County Code 14.01.040, Appendix A, to reflect updated City Codes as Adopted by Skagit County through Ordinance No. 18375. These changes are technical rather than substantive revisions and, therefore, do not warrant or require a new round of environmental, agency, and public review.

Commissioner Anderson requested that when an RCW is listed, it be included in the material that is submitted to them. He asked whether the annexation is a part of the area the Commissioners have agreed not to oppose.

Ms. Smith assured the Commissioners that they would not be signing away the power of the Boundary Review Board.

Mr. Johnson explained further that this simply lists the urban growth areas as adopted by the compliance ordinance. They have already been adopted, but their plans did not reflect that. This simply spells it out so you can see what each one of the codes is.

Chairman Anderson emphasized that he has repeatedly taken the position that the Commissioners are not going to give away their ability to invoke the Boundary Review Board. He said he believes there is confusion on the part of the public too.

Commissioner Anderson asked about the Mount Vernon changes. Mr. Johnson explained that this is just a comprehensive listing of what was already adopted through the ordinance.

Commissioner Anderson said it would be helpful if the Commissioners could receive something that spells out exactly what these kinds of things are.

Ms. Smith said they would provide this during the following week's agenda time.

Commissioner Anderson requested a synopsis summary of each one.

The Commissioners agreed to continue this discussion until the agenda time next Tuesday, October 30.

PUBLIC HEARING – REGARDING THE ADOPTION OF AMENDMENTS TO THE STRATEGIC PLAN FOR PROTECTING WILD SALMONIDS TO BE NOW ENTITLED ENHANCEMENT ACTIONS AND PROGRAMS AS A SECTION IN THE CRITICAL AREA ORDINANCE (CAO)

Chairman Anderson opened the public hearing.

Ms. Smith provided a history, explaining that this matter is being heard again per the request of the Commissioners. She said they substantially revised the ordinance and decided they no longer needed to create a strategic plan. The Planning Commission heard this and there was a public hearing before the Commissioners. The Commissioners were not forwarded a recommendation because the Planning Commission was unable to make a recommendation. She then provided comments received from the public.

Chairman Anderson opened the meeting for public comment.

Randy Good, Minkler Rd. Sedro Woolley, stated that he entered documentation into the record when this started. He then reviewed the pertinent WAC's and requested that the Commissioners implement the requirements of the WAC. He explained that this code is intended to assist counties in identifying the best available science for fish programs. Skagit County has just begun testing streams and this data should be considered before pursuing any projects that could do more harm than good. Everything should meet the scientific requirements of the WAC.

Tom Solberg, Minnie Rd., Alger, said he thought it was sad to see so few people at a hearing any more. When this first got started there were over a hundred people. He said his first concern is the title. The old title was "Strategic Plan for Protecting Wild Salmonids....". The title is now being changed to "Enhancement Actions and Programs".

If you look at the document there is nothing in it about wild salmon. The new title should be "Schemes, Plots and Shady Methods for Rural Land Grabs". It is frightening to see how the salmon habitat issue has evolved over the years. He described the way the buffers were enacted, with the idea that salmon would be on the endangered species list, and how the buffer plan has evolved. He said he does not see anything wrong with the habitat as it is. It is good enough, and there have been record salmon runs. He said it is his belief that it has a lot to do with the ocean. There are changing ocean conditions around the Aleutian Islands this year. "The big problem is what happens to their food. Where do the herring go? Everything must have clicked. We can't control the ocean." A program of voluntary buffers should be instigated. As it stands now, many will receive a token payment, while others will receive nothing. If they want to do a buffer for the money that is available, they can be paid justly for the buffer. It is the whole idea of doing this on a voluntary basis or being told to do it that is the crux of the problem. "When someone tells me I have to it makes me mad".

Don Bockelman, 3063 South Skagit Highway, said he agrees with Mr. Solberg. Voluntary buffers would go a long way in addressing a lot of the issues out there. He said he also agrees with Mr. Good that there needs to be some science before imposing it on people. He said he has lain to rest the notion that salmon return to their point of origin. The salmon will take advantage of new habitat. They are doing the science now on ocean currents, what they affect and how they affect it. Before new regulations are imposed, governments should be required to abide by the rules they want everyone else to live by.

Mr. Good interjected that when the County had the Planning public hearing he presented documentation that should have been moved forward today to the Commissioners.

Chairman Anderson talked about the purpose of the meeting. The Growth Hearings Board took some exceptions to Skagit County's wild salmon policy and said that it wasn't nearly enough. The County then decided to withdraw the wild salmonid section. It was the feeling of the Board

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that all of the other things had been done and this really did not need to be included. This is before the Board again because of the Growth Management law. The Growth Hearings Board is trying to force the County into instituting buffers. There is a lot of impact on local residents if the County does not comply. What is being discussed today is part of that. He said it was his opinion it put the public in Skagit County in a better position, but he is glad he is going to have a week to think about it. The hearing was to talk about taking wild salmonid out of the Critical Areas Ordinance.

John Sandell said he has lived on the Samish River for 64 years. He said he agrees, that the wild salmonid policy should be taken out. There are no wild salmon in the Samish River. "He doesn't care whether someone is white or Indian, they will take the last fish if you let them". He said he does not understand this other than the fact that the bureaucrats are trying to save their jobs and at the fisheries they don't even know what is in the Samish River. He is in favor of taking it out of there.

Mr. Solberg said he was confused as he thought they were just changing the title.

After further discussion, Commissioner Munks motioned to close the public hearing. Commissioner Dahlstedt seconded the motion, which passed unanimously.

Chairman Anderson stated that a decision would be rendered on Tuesday, October 30 at 10:00 a.m.

ADJOURNMENT:

Commissioner Munks motioned to adjourn the proceedings. Commissioner Dahlstedt seconded the motion and it passed unanimously.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Ted W. Anderson, Chairman

Kenneth A. Dahlstedt, Commissioner

Don Munks, Commissioner

ATTEST:

JoAnne Giesbrecht, Clerk of the Board
Skagit County Board of Commissioners