

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
TUESDAY, FEBRUARY 10, 2009**

The Skagit County Board of Commissioners met in regular session on Tuesday, February 10, 2009, with Commissioners Kenneth A. Dahlstedt, Sharon D. Dillon, and Ron Wesen present.

I. CALL TO ORDER:

Chairman Dahlstedt called the proceedings to order at 8:00 a.m.

II. PLEDGE OF ALLEGIANCE:

Chairman Dahlstedt led the gallery in the pledge to the flag.

III. AGENDA:

A. 8:00 a.m. - 9:00 a.m. Planning & Development Services - Gary Christensen, Director

1. Discussion - SICBA 2009 Home Show

Commercial Plans Examiner Steve Kramer explained Skagit County Planning and Development Services' involvement in the Skagit Island Counties Building Association home show. Mr. Kramer stated this is the 29th year of the home show. He went on to say the show will take place at the Skagit County Fair Grounds from March 20 through 22, 2009.

2. Discussion - Proposed Draft 2009 Fee Schedule and Set Date and Time for Public Hearing

Deputy Director Bill Dowe discussed the proposed 2009 Planning & Development Services fee schedule changes. He proposed the Critical Areas review fee be raised from \$300 to \$600. Mr. Dowe asked the Commissioners to approve the Planning Department's request to bill by the hour for larger projects that require a Critical Areas review. He went on to discuss other proposed fee changes such as; title elimination, Fire Marshal review, plumbing permits, and other fees.

The Commissioners stated they supported the Department's request to bill clients by the hour when County staff time exceeds the base rate.

Environmental Health Manager for the Skagit County Health Department Corinne Story presented the Health Unit Planning and Development Services proposed fee schedule changes for 2009. She reported there will be a time limit placed on projects, which will be charged a flat fee, and after that, fees will be billed on an hourly basis.

A motion was made by Commissioner Dillon to approve setting

Tuesday, March 3, 2009, at 9:00 a.m. for a public hearing to gather public testimony on the proposed draft 2009 fee schedule for Skagit County Planning and Development Services and the Skagit County Health Department. **(Approved)** Commissioner Wesen seconded the motion, which passed unanimously.

3. Discussion - Unincorporated Skagit County Annual Development Trend Activity

Mr. Dowe explained the building trend in Skagit County is the lowest it has been in 40 years. Mr. Dowe presented a graph which displayed the volatility of residential building permits.

4. Discussion - Forest Practice Permit Regulations

Senior Planner and Hydrogeologist John Cooper updated the Commissioners on the adoption of the forest practice regulations. He stated State law requires that Counties establish Forest Practice Mandates under the Growth Management Act (GMA), adopt enforcement ordinances or regulations for class I, II, III, and IV forest practices within urban growth areas and all class IV general forest practices outside urban growth areas. Mr. Cooper said these regulations were required to be in place by December 31, 2008.

Mr. Cooper remarked the Planning Department has conferred with the Department of Natural Resources and legal counsel to draft an ordinance in response to the State's mandate. He indicated the Forest Advisory Board (FAB) has informed them the requirements of the State's mandate would create specific hardships for the forest practice industry by subjecting Class IV non-conversion forest practices to the provisions of Skagit County's Critical Areas Ordinance.

Mr. Cooper went on to present the Department's options and recommendations and asked the Board for direction on whether to move forward with the adoption of forest practice regulations, or to do nothing until the Revised Code of Washington (RCW) 76.09.020 is amended. He stated if they wait until RCW 76.09.020 is revised, they could then amend the draft code accordingly. Mr. Cooper summarized by saying, the Planning Department and the FAB recommend not adopting the forest practice regulations at this time and wait for amendments from the Legislature.

The Commissioners indicated they were in concurrence with keeping the status quo and postpone making any decisions until the Legislature amends the Code.

Mr. Christensen stated he would discuss this matter with legal counsel and bring the issue before the Board at a later date.

5. Miscellaneous

There were no miscellaneous items for Planning and Development Services to discuss.

Chairman Dahlstedt recessed the proceedings at 9:05 a.m.

- B. 9:00 a.m. - 9:30 a.m. Public Hearing - To Consider Selling County Real Property Known as 44511 Concrete Sauk Valley Road in Concrete, Parcel No. P43706, and Acreage Only in the Gunderson Road/Goldie Lane Vicinity in Mount Vernon, Parcel No. P108573

Chairman Dahlstedt reconvened the proceedings at 9:12 a.m.

Capital Facilities Director Al Jongsma stated the County owns real property identified by tax parcel numbers P108573 and P43706. He indicated the County would like to dispose of the parcels mentioned.

Chairman Dahlstedt opened the public hearing at 9:17 a.m.

George Theodoratus of 37921 Highway 20 in Concrete stated he owns a business located on Parcel No. P43706. He indicated he had no objections to the County selling the property. He requested six months notice to move his business if he was not the successful bidder on the property.

Lance Fisher of Mount Vernon said he has petitioned for the Goldie Lane property because he owns the adjacent property.

David La Count of 23949 Goldie Lane in Mount Vernon stated if the right-of-way were included, he would be interested in building on the property.

A motion was made by Commissioner Dillon to approve closing the public hearing at 9:20 a.m. Commissioner Wesen seconded the motion, which passed unanimously.

A motion was made by Commissioner Wesen to approve setting March 3, 2009, at 2:00 p.m. to render a final decision on the disposal of Skagit County property identified by tax parcel numbers P108573 and P43706. Commissioner Dillon seconded the motion, which passed unanimously.

- C. 9:30 a.m. - 10:00 a.m. Board of Health - Discussion/Possible Action Regarding Fluoridation

Chairman Dahlstedt convened the Board of Health at 9:31 a.m.

Chief Civil Deputy Prosecuting Attorney Will Honea presented a resolution that would rescind the Board of Health's Resolution No. R20070284 and any extensions, which directed Skagit County Public Utility District No. 1 (PUD) to fluoridate a portion of their water system within one year. Mr. Honea stated the PUD has raised a broad range of concerns about the funding agreement. Mr. Honea pointed out this resolution has no effect on the City of Anacortes fluoridating their water system.

A motion was made by Commissioner Dillon to approve adopting a resolution rescinding Skagit County Board of Health's Resolution No. R20070284. (**Resolution No. R20090067**) Commissioner Wesen seconded the motion, which passed on a 2 - 1 vote with Chairman Dahlstedt dissenting.

Chairman Dahlstedt adjourned the Board of Health at 9:36 a.m.

- D. 10:00 a.m. - 10:30 a.m. Discussion/Possible Action - Closed Record Public Meeting for Final Plat Approval of the Plat of Forest Park Estates (PL03-0702) Submitted by Louis Requa and John Abenroth

Chairman Dahlstedt reconvened the proceedings at 10:01 a.m.

Mr. Christensen stated this matter was carried over from the February 3, 2009, due to Chairman Dahlstedt attending a meeting out of the State.

Commissioner Dillon noted concerns she had relating to the roads in the development being classified as private residential roads. She remarked all roads should be public and not private. Commissioner Dillon also stated she had concerns with the drainage issues of the project.

Louis Requa of 310 West Bennett Road in Sedro-Woolley indicated there is very little top soil on the property. He said because the soil is made up of mostly gravel, which is porous, there has never been a problem with standing water on the property. He went on to say the roads have been built to County standards and per plat standards, which includes the stormwater management. Mr. Requa stated there will be a dedication note placed on the face of plat after it has been recorded. He added the homeowners association can ask the County to take over the roads after a five-year period.

Mr. Requa stated the reason it has taken so long to develop this project was because they worked on the plat as they had resources available and there were a number of personal issues that came up during the five year time period.

A motion was made by Commissioner Wesen to approve the final plat of the Plat of Forest Park Estates (PL03-0702) Submitted by Louis Requa and John Abenroth. (**Approved**) Chairman Dahlstedt seconded the motion, which passed on a 2 - 1 vote with Commissioner Dillon dissenting.

Chairman Dahlstedt recessed the proceedings at 10:15 a.m.

- E. 11:00 a.m. - 11:30 a.m. Update - Farmland Legacy Program Provided by the Conservation Futures Advisory Board

Chairman Dahlstedt reconvened the proceedings at 11:00 a.m.

Executive Director of the Farmland Legacy Program Kendra Smith provided a status

report on the Farmland Legacy Program. Ms. Smith also introduced the members of the Conservation Futures Advisory Committee, which consists of: Carolyn Kelly who is the Chair; Scott Degraw; Dave Hedlin; Mike Hulbert; Alan Merritt; Keith Wiggers; and Andrea Xavier.

Ms. Smith stated the Conservation Futures Tax was adopted by the Skagit County Commissioners in December of 1996. Ms. Smith went on to explain the Farmland Legacy Program's concept. She noted participation in the program is voluntary, and the goal is to protect agricultural land and soils for future generations.

Ms. Smith noted the program collected revenues in the amount of \$690,398 in 2008. She went on to say they purchased eight development rights in 2008, and the program incurred operation expenses in the amount of \$156,335.

Ms. Smith reported the program was able to protect eight percent of Skagit County's agricultural land last year. They received \$8,293,156 from the United States Department of Agriculture, \$19,049 from private donors, and \$330,000 from the Nature Conservancy. She indicated the Program has contracted with Skagitonians to Preserve Farmland to help with marketing strategies.

The Commissioners thanked Ms. Smith for the presentation. They also thanked the Board members for their commitment of time and effort on serving on the committee.

Chairman Dahlstedt recessed the proceedings at 11:34 a.m.

F. 11:30 a.m. - 11:45 a.m. Public Comment Period

Chairman Dahlstedt reconvened the proceedings at 11:35.

There was no one present during public comment period.

IV. ADJOURNMENT:

Chairman Dahlstedt adjourned the proceedings at 11:36 a.m.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Kenneth A. Dahlstedt, Chairman

Sharon D. Dillon, Commissioner

Ron Wesen, Commissioner

ATTEST:

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