

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
TUESDAY, AUGUST 10, 2010**

The Skagit County Board of Commissioners met in regular session on Tuesday, August 10, 2010, with Commissioners Sharon D. Dillon, Ron Wesen, and Kenneth A. Dahlstedt present.

I. CALL TO ORDER:

Chair Dillon called the proceedings to order at 8:00 a.m.

II. PLEDGE OF ALLEGIANCE:

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

III. AGENDA:

a) 8:00 a.m. - 9:00 a.m. Planning and Development Services - Gary Christensen - Director:

1. Discussion: Federal Emergency Management Agency (FEMA) Flood Map Community Meeting Update

Gary Christensen, Director, wanted to share with the Board, and interested viewers, the flood insurance rate maps which the Geographic Information Services Department put together using the information recently received from the Federal Emergency Management Agency. He introduced Tim DeVries, County Building Official, who updated the Board on each of the scheduled community meetings with County, City, and Federal Emergency Management Agency before discussing the flood insurance rate maps.

Five community meetings have been scheduled county wide in order to discuss and clarify the any questions and concerns Skagit County residents may have. The first meeting will be held at 6:00 p.m. on Thursday, August 12, 2010, in La Conner at Maple Hall. The second meeting will be held at 6:00 p.m. on Tuesday, August 17, 2010, in Burlington at the Burlington City Hall. The third meeting will be held at 6:00 p.m. on Wednesday, August 18, 2010, in Concrete at the Concrete Town Hall. The fourth meeting will be held at 6:30 p.m. on Tuesday, August 24, 2010, in Sedro-Woolley at the Sedro-Woolley Municipal Building Council Chambers. The fifth meeting will be held at 6:30 p.m. on Thursday, August 26, 2010, in Mount Vernon at the Mount Vernon Police Court Campus.

Commissioner Wesen confirmed that the information from the meetings will be posted online, and that the flood maps received from the Federal Emergency Management Agency, as well as the maps put together by the Geographic Information Services Department were available online.

Commissioner Dahlstedt said he knows many people who have purchased

homes in Skagit County, not expecting to be flooded, and who were surprised when they were. He stated that the Federal Emergency Management Agency has prepared these flood maps in order to give Skagit County accurateness and correct insurance rates. He went on to say that many people are confused about insurance rates. He stated that not all rates will increase, only rates for newly built homes.

Mr. DeVries continued his presentation to the Board and informed them that the Geographic Information Services Department was able to put together a compilation of the map panels showing the Federal Emergency Management Agency flood insurance information. He commended Janice Baird and Josh Greenberg for their work and creativity on a job well done. He pointed out that these maps show the proposed Federal Emergency Management Agency insurance rates, not Skagit County's current regulations.

Mr. DeVries demonstrated how to access the flood maps in order to see which areas will be included in the 100 and 500 year flood plains. He explained the other features of the maps and pointed out that there is a four foot difference between the old maps and new maps. Areas which get seasonal flooding are not included on the Federal Emergency Management Agency flood maps.

Mr. Christensen pointed out that the maps put together by the Geographic Information Services Department show all areas in Skagit County, both within city limits and in the county.

The Commissioners expressed their gratitude for the work performed in order to create these maps and make them available online.

Comments and questions can come to Planning and Development Services. If residents are unable to send their comments to the Federal Emergency Management Agency, Mr. DeVries will collect them and forward them on. Mr. DeVries also stated that anyone can attend any of the five community meetings.

2. Miscellaneous

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

Chair Dillon recessed the proceedings at 8:39 a.m.

b) 9:00 a.m. -9:15 a.m. Public Hearing to Consider Testimony Regarding Adopting Revisions to the Skagit County Public Health Department Schedule of Charges

Chair Dillon reconvened the proceedings at 9:03 a.m. Peter Browning, Director of public health, discussed the reasons behind many of the increases in fees. The Health Department evaluates costs and fees and compares them to surrounding counties. Some fees have been raised and others lowered. The Health Department took into consideration the ability to cover their cost for services provided, as well as being sure to appropriately charge out-of-county residents correctly.

Chair Dillon opened the public hearing at 9:15 a.m. Seeing no one present to give public testimony, Commissioner Dahlstedt made a motion to close the public hearing, which was seconded by Commissioner Wesen. The motion passed unanimously.

Commissioner Wesen asked Mr. Browning if the national healthcare bill affected the department's prices at all. Mr. Browning stated that they have been unaffected so far.

A motion was made by Commissioner Dahlstedt to approve the resolution updating the Skagit County Public Health Department schedule of charges. (**Resolution No. R20100273**) Commissioner Wesen seconded the motion. The vote passed unanimously.

Chair Dillon recessed the proceedings at 9:25 a.m.

- c) 9:30 a.m. - 10:00 a.m. Public Works - Work Session - Natural Resources Division, Administration Division, Solid Waste Division

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

Thomas Ballard, Interim Director, introduced the first of the three divisions present to give updates to the Board.

Kevin Renz, Solid Waste Division Manager, updated the Board on the progress on the Interlocal Agreement with the City Partners, the Transfer Station project, a new Grant from the Department of Ecology regarding the turn in your burn barrel for a compost bin program, a new agreement with the Department of Corrections for the inmate litter pick-up program, and the recent improvements at the Sauk Transfer Station.

The Commissioners thanked Mr. Renz for his work on the Interlocal Agreement with the Cities. They look forward to working with the city as partners and keeping rates low for residents. Commissioner Wesen asked if operations were running smoothly at the Sauk Transfer Station. Mr. Renz confirmed that operations were going well and running smoothly.

Dan Berentson, Natural Resources Division Manager, discussed the three remaining sub- flood control zones: Britt, Blanchard and Sedro-Woolley. Community meetings and public hearings have been scheduled for each of them. Mr. Berentson also updated the Board on some of the drainage projects, the Clean Samish Initiative, work with the Lake Management Districts, and their role in the Federal Emergency Management Agency flood map community meetings. He informed the Commissioners that a two-hour technical meeting with the Federal Emergency Management Agency and the Core of Engineers was scheduled for August 12, 2010.

Commissioner Wesen stated that everyone needed to do their part regarding the Clean Samish Initiative and that Skagit County and the Conservation District are

available to help residents with any issues. He also wanted to remind everyone that fall is around the corner and to take a look at any nearby ditches and culverts that may become a problem since Public Works does not have enough staff to be able to check all of them. Skagit County appreciates input from residents. Commissioner Dahlstedt stated that Skagit County was abolishing the sub-flood control zones in order to consolidate them and make them more efficient.

Ken Johnson, Controller and Administration Division Manager, informed the Commissioners that he oversees four sections: the director's office, accounting, records, and reception and he discussed some of the projects each section is currently working on.

Chair Dillon thanked Mr. Ballard for spreading out the updates from each Public Works division. The Commissioners appreciate hearing from each one.

Mr. Ballard stated that the next batch of reports in November would be presided over by the new Public Works director, Henry Hash. The Commissioners stated that they have appreciated all of Mr. Ballard's help with the Public Works Department and thanked him for his time here at the county.

Mr. Ballard thanked the Commissioners for their support and understanding and stated that he has appreciated working with their staff.

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

- d) 10:00 a.m. - 11:00 a.m. Public Hearing to Establish Interim Controls on the Permitting of Solid Waste Handling Facilities

Chair Dillon reconvened the proceedings at 10:04 a.m.

Arne Denny, Senior Deputy Prosecuting Attorney, restated that on July 6, 2010, the Commissioners adopted an Interim Ordinance, O20100004, establishing interim controls on the permitting of solid waste handling facilities. The Interim Ordinance amended two code definitions of unclassified use and utility development. It also amended the code regarding the unclassified uses for solid waste and power generation facilities. The Interim Ordinance adopted a work plan to review this further, and scheduled the hearing. This Interim Ordinance allows the County to consider changes in the uses that are presently designated as unclassified uses, while maintaining the status quo. Mr. Denny stated that such uses require the highest level of review and that the Planning and Development Services Department intends to undertake a comprehensive review on the seven-year schedule set by the legislature. The Interim Ordinance affirms the county's current interpretation of the code. Chair Dillon opened the public hearing at 10:11 a.m.

Heather Shand of Mount Vernon was present on behalf of Skagit Hill Recycling. She requested that the Board repeal the Interim Ordinance since she and her client feel that it was aimed solely at them. Skagit Hill Recycling would create more business and jobs in Skagit County. Ms. Shand pointed out that no public notice

was given or input received before its adoption and that it was adopted without any consideration of the consequences of the Ordinance itself. Ms. Shand finds it hard to believe that the Commissioners fully considered this Interim Ordinance before adopting it since they did not have the document until the day which it was presented for adoption. She understands that it was adopted because on an emergency situation and she would like to know what that emergency situation was. She further stated that if the Growth Management Act's decision was incorrect, why was it not appealed? She believes that the way the Interim Ordinance was adopted was like a back-door, secretive method. She went on to point out that this Ordinance was presented to the Commissioners on the same day that Skagit Hill Recycling offered a settlement to Planning and Development. The Interim Ordinance was adopted in the middle of their settlement proceedings. Ms. Shand believes that this Ordinance will not preserve the status quo, but make it more restrictive and was only adopted to stop the permitting progression of one business, Skagit Hill Recycling. Ms. Shand finished by stating that the Interim Ordinance should have been part of the annual docketing system in place at Planning and Development Services and used the proper public notification procedures. She asked why was this not done? It is inconsistent with the County's comprehensive plan which calls for additional recycling opportunities, and she would like the Commissioners to repeal the Interim Ordinance and add it to the normal annual docket.

Seeing no further public testimony forthcoming, Commissioner Dahlstedt made a motion to close the public hearing, which was seconded by Commissioner Wesen. The motion passed unanimously.

Chair Dillon reminded the audience that no action would be taken at this time by the Commissioners since today was only for public testimony on the subject.

Chair Dillon adjourned the proceedings at 10:21 a.m.

e) 11:30 a.m. - 11:45 a.m. Public Comment Period

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

Lynn Torset of Sedro-Woolley was present to ask the Commissioners to consider publishing the weekly agenda in paper rather than the results of what was done. He went on to say that he has never been flooded by a river but that he has been isolated by streams on either side of his property and that Coal Creek is a chronic problem. He is concerned about Burlington and Mount Vernon's plans to continue to raise the dikes since he feels that places like his will become more vulnerable to flooding. He hopes that the Commissioners will look out for him and others in his situation.

Ed Johnson of Mount Vernon wanted to bring to the attention of the Commissioners a problem he has been having with trespassers on all terrain vehicles on his private property. Apparently the State of Washington has also been having problems. He would like, at the very least, the respect of a request to ride on his property and the courtesy of people to close gates after they open them.

Dave Towne of Mount Vernon was present to discuss the abolishment of the Britt Slough Sub-Flood Control Zone. He is one of the five current board members on the Britt Slough Committee. Mr. Towne informed the Commissioners that Britt Slough is key drainage for nearby farmland and the City of Mount Vernon. Mr. Towne was disappointed that no one from the County contacted his Board before moving forward with plans to abolish it. He understands reasons to abolish zones which are no longer active, but he assured the Commissioners that he has a dedicated Board. They are worried about their taxes increasing and they feel that they can do a better job than the County and they would like to continue with the sub-flood control zone. He requested that each Commissioner meet with him for a tour of Britt Slough.

IV. ADJOURNMENT:

Chair Dillon adjourned the proceedings at 11:46 a.m.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Sharon D. Dillon, Chair

Ron Wesen, Commissioner

Kenneth A. Dahlstedt, Commissioner

ATTEST:

Linda Hammons, Clerk of the Board
Skagit County Board of Commissioners