

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
TUESDAY, DECEMBER 14, 2010**

The Skagit County Board of Commissioners met in regular session on Tuesday, December 14, 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 and Possible Action: Set a time and date for the Review and Possible Action on the Special Use Modification Request (PL10-0471) for the Hillside Motel Expansion to extend the permit expiration timeframe (PL07-0407, Condition No. 13) by two years

Gary Christensen, Director, was present and introduced Brandon Black.

Brandon Black, Senior Planner, requested that the Board of County Commissioners set Tuesday, December 21, 2010, at 10:30 a.m. for a public meeting to review the Special Use Permit Modification Request #PL10-0471 for the Hillside Motel Expansion to extend the permit expiration timeframe (PL07-0407, Condition No. 13) by two years.

A motion was made by Commissioner Dahlstedt to approve setting Tuesday, December 21, 2010, at 10:30 a.m. for a public meeting to review the Special Use Permit Modification Request #PL10-0471 for the Hillside Motel Expansion to extend the permit expiration timeframe (PL07-0407, Condition No. 13) by two years. Commissioner Wesen seconded the motion.

The vote passed unanimously.

2. Discussion and Possible Action: Planning Commission Recorded Motion 2011-2016 Capital Facilities Plan

Mr. Christensen acknowledged the hard work of Carly Ruacho, Project Manager; and Chad Armstrong, Intern, on the 2011-2016 Capital Facilities Plan. Mr. Christensen presented the Planning Commission Recorded Motion, which recommended approval of the 2011-2016 Capital Facilities Plan (CFP).

A motion was made by Commissioner Dahlstedt to approve adopting the 2011-2016 Capital Facilities Plan as recommended by the Planning Commission. Commissioner Wesen seconded the motion. The vote passed unanimously.

Mr. Christensen stated that a Skagit County Capital Facilities Plan would be brought before the Board for their signature on the Consent Agenda in the near future.

3. Closed Record Hearing to Consider the Hearing Examiner's Recommendation for Denial regarding Variance Request PL10-0298 by Victor Benson to allow modification of Variance V88-002; the subject property is located adjacent to and surrounding 19996 East Stackpole Road, Mount Vernon

Grace Roeder, Senior Planner, was present to answer questions.

Commissioner Dahlstedt addressed concerns that Mr. Benson was not present at the hearing.

A motion was made by Commissioner Wesen to approve continuing the Closed Record Hearing to review the Hearing Examiner's Recommendation for denial regarding Variance Request PL10-0298, to rescind Condition #2 of Variance V88-002 associated with Short Plat 13-88 to Tuesday, December 21, 2010, at 3:30 p.m. Commissioner Wesen seconded the motion. The vote passed unanimously.

4. Miscellaneous

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

- b) 9:00 a.m. -9:30 a.m. Discussion/Possible Action: 2011 Skagit County Budget Adoption

Chair Dillon reconvened the proceedings at 9:00 a.m.

Trisha Logue, Budget and Finance Director, was present to discuss the adoption of the 2011 Skagit County Budget. Ms. Logue pointed out changes to the Elections Fund and a change to the Cooperative Extension budget.

A motion was made by Commissioner Wesen to approve the 2011 Skagit County Budget. (**Resolution No. R20100427**) Commissioner Dahlstedt seconded the motion. The vote passed unanimously.

1. Billie Kadrmas, Human Resources Director, presented a resolution

establishing 2011 salaries for regular full-time and regular part-time non-represented employees.

A motion was made by Commissioner Dahlstedt to approve a resolution establishing 2011 salaries for regular full-time and regular part-time non-represented employees. **(Resolution No. R20100428)** Commissioner Wesen seconded the motion. The vote passed unanimously.

2. Ms. Kadrmas presented a resolution establishing salary levels for certain Skagit County elected officials for 2011.

A motion was made by Commissioner Wesen to approve salary levels for certain Skagit County elected officials. **(Resolution No. R20100429)** Commissioner Dahlstedt seconded the motion. The vote passed unanimously.

3. Ms. Kadrmas presented a resolution authorizing unpaid closure days.

A motion was made by Commissioner Dahlstedt to approve the unpaid closure days. **(Resolution No. R20100430)** Commissioner Wesen seconded the motion. The vote passed unanimously.

- c) 9:30 a.m. - 10:00 a.m. Public Hearing to Consider 2011 Emergency Management Service and Central Valley Ambulance Authority Budgets

Chair Dillon reconvened the proceedings at 9:32 a.m.

Earl Klinefelter, Skagit County Emergency Medical Services (EMS) Commission Manager, discussed the 2011 budget and the structure of the EMS Organization. He stated that the proposed budget for 2011 included a 1% decrease. He said that the Commission purchased two new ambulances at a reduced rate and would not be purchasing any ambulances in 2011. He went discuss the increase in training and education, and stated that there would not be any Cost of Living Adjustments for 2011.

The Commissioners thanked Mr. Klinefelter for the presentation.

Chair Dillon opened the public hearing at 9:44 a.m.

Seeing no public testimony forthcoming, Commissioner Wesen made a motion to close the public hearing at 9:46 a.m. Commissioner Dahlstedt seconded the motion, which passed unanimously.

A resolution approving the EMS will be on the Consent Agenda on Monday, December 21, 2010.

Chair Dillon recessed the proceedings at 9:48 a.m.

- d) 10:00 a.m. - 11:00 a.m. Discussion: Envision Skagit 2060 Project Update and Envision Model Demonstration

Chair Dillon reconvened the proceedings at 10:02 a.m.

Chair Dillon announced the following members of the public were present in the gallery: Mayor Dean Maxwell, City of Anacortes; Mayor Ramon Hayes, Town of La Conner; Mayor Bud Norris, City of Mount Vernon; Tim Holloran, Skagit County Administrator; Jack Moore, City of Sedro-Woolley Planning Director; John Doyle, Town of La Conner Administrator; Josh Greenberg, Skagit County Geographic Information Services; Doris Robbins, Envision Skagit 2060 Citizen Committee member; Dale Reagan, City of Mount Vernon Council member; Ted Gage, Samish Indian Nation Planning Director; Brian Larsen, City of Anacortes; Peggy Flynn, City of Anacortes Planning Management and Envision Skagit 2060 Citizen Committee member; Gus Ramos, Housing Authority of Skagit County Executive Director and Envision Skagit 2060 Citizen Committee member; Tim Rosenhan, Envision Skagit 2060 Citizen Committee member; Henry Hash, Skagit County Public Works Director; Nels Lagerlund, Skagit County Agriculture Advisory Committee member.

Gary Christensen was present to provide a brief introduction of the Envision Skagit 2060 Project.

Kirk Johnson, Senior Planner, provided an update on the Envision Skagit 2060 project and presented a PowerPoint presentation. He discussed plans for the upcoming meeting with the Envision Skagit 2060 Citizen Committee on Thursday, January 6, 2011, from 9:30 a.m. to 4:30 p.m. in the Board of County Commissioners Hearing Room.

Josh Greenberg, Skagit County GIS, presented a demonstration and overview of how the Envision Skagit land use model works to represent population growth, land development, and conservation on the landscape over time.

Chair Dillon recessed the proceedings at 11:00 a.m.

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

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

Seeing no public comment forthcoming, Commissioner Dahlstedt made a motion to close the public comment period at 11:30 a.m. Commissioner Wesen seconded the motion, which passed unanimously.

Chair Dillon recessed the proceedings at 11:36 a.m.

- f) 2:00 p.m. - 3:00 p.m. Closed Record Appeal Hearing (PL10-0467) submitted by Planning & Development Services to review the Hearing Examiner Decision on PL04-0433, the Planning & Development Services Request to Revoke or Modify Special Use PL08-0439, Skagit River Kennels, for failing to meet the conditions of approval.

Chair Dillon reconvened the proceedings at 2:05 p.m.

Chair Dillon noted that the hearing was a Closed Record Appeal and that the appellant and respondent would each have 15 minutes to provide opening arguments, followed by rebuttal statements or clarifying by the appellant and the respondent. She went on to say that no evidence or testimony shall be received.

Ryan Walters, Civil Deputy Prosecuting Attorney, made an opening statement on behalf of Planning and Development Services. Mr. Walters stated that the Planning and Development Services Department was appealing the Hearing Examiner's Order Modifying Permit and Denying Request to Revoke, dated October 28, 2010. He requested that the Board of County Commissioners find the Hearing Examiner's modifications to Special use Permit PL08-0439 to be clearly erroneous, reverse them, and grant the department's request to revoke or modify Special Use Permit PL08-0439 for failing to meet conditions of approval.

Richard Hughes, Attorney Representing Travis Lundgren, made an opening statement. Mr. Hughes stated that Skagit County Code does not require that a complete development application be filed. Mr. Hughes requested that the Board of County Commissioners vacate the Notice and Order to Vacate.

Mr. Walters provided rebuttal statements at 2:33 p.m.

Mr. Hughes provided rebuttal statements at 2:38 p.m.

Chair Dillon stated that the Board shall examine the record, the decision, and the arguments presented and shall select one of the following courses of action:

- 1) Remand the matter for further consideration by the Hearing Examiner;
- 2) Deny the appeal and affirm the decision of the Hearing Examiner; or
- 3) If the Board finds the Hearing Examiner's decision was clearly erroneous, the Board may adopt its own findings, conclusions and decision based upon the record made before the Hearing Examiner.

Chair Dillon stated that a decision on this matter would be made on Tuesday, December 28, 2010, at 11:00 a.m. in the Commissioners' Hearing Room.

Mr. Hughes pointed out that the deadline to appeal further penalties based on the initial Notice and Order to Vacate expires on December 15, 2010. Chair Dillon noted that the Board would consult with legal counsel.

g) 3:00 p.m. - 4:00 p.m. Executive Session, Litigation

h) 4:00 p.m. - 4:30 p.m. Executive Session, Litigation

#### IV. MISCELLANEOUS:

1. Record of the Proceedings for Tuesday, December 7, 2010. **(Approved)**
2. Personal Services Agreement with the Masters Touch, LLC:

Don Munks, Assessor, was present to continue the discussion regarding a Personal Services Agreement with The Masters Touch, LLC, to print and mail Notice of Valuation (NOV) notices for the Skagit County Assessor's office. Mr. Munks stated that in past years, the Assessor's office had printed the NOV notices on 4" x 6"

postcards, using in-house equipment. He explained that the Assessor's office chose to use an outside printing service because the equipment used to print the postcards in-house was no longer serviceable.

Chair Dillon discussed concerns regarding the increase in postage associated with mailing the 8.5" x 11" paper, plus the cost of using an envelope.

A motion was made by Commissioner Dahlstedt to approve a Personal Services Agreement with The Masters Touch, LLC, to print and mail Notice of Valuation (NOV) notices for the Skagit County Assessor's office. The Agreement shall commence on December 15, 2010, and continue through December 31, 2011. Compensation shall not exceed \$8,000. **(Contract No. C20100607)** Commissioner Wesen seconded the motion.

The vote passed on a 2 - 1 vote with Chair Dillon dissenting.

Chair Dillon recessed the proceedings at 9:21 a.m.

IV. ADJOURNMENT:

Chair Dillon adjourned the proceedings at 2:45 p.m.

The Commissioners attended an executive session from 3:04 p.m. to 4:10 p.m. The purpose of the executive session was Litigation - RCW 42.30.110(1)(i). (Matters relating to County enforcement actions, actual litigation, or potential litigation.) The following attorneys were present at the executive session and gave legal advice to the Board of County Commissioners Steve Fallquist, and Ryan Walters.

The Commissioners attended an executive session from 4:11 p.m. to 4:32 p.m. The purpose of the executive session was Litigation - RCW 42.30.110(1)(i). (Matters relating to County enforcement actions, actual litigation, or potential litigation.) The following attorneys were present at the executive session and gave legal advice to the Board of County Commissioners Jill Dvorkin and Ryan Walters.

**BOARD OF COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON**

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Sharon D. Dillon, Chair

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Ron Wesen, Commissioner

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Kenneth A. Dahlstedt, Commissioner

ATTEST:

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