

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
TUESDAY, JANUARY 4, 2011**

The Skagit County Board of Commissioners met in regular session on Tuesday, January 4, 2011, with Commissioners Ron Wesen, Kenneth A. Dahlstedt, and Sharon D. Dillon present.

I. CALL TO ORDER

Chairman Wesen called the proceedings to order at 8:30 a.m.

II. PLEDGE OF ALLEGIANCE

Chairman Wesen led the gallery in the salute to the flag.

III. AGENDA

a) 8:30 a.m. - 9:30 a.m. Planning and Development Services - Gary Christensen, Director

1. Decision: Consider the Hearing Examiner's Recommendation for Denial Regarding Variance Request PL10-0298 by Victor Benson to Allow Modification of Variance V88-002

Gary Christensen, Director of Planning and Development Services, was present to ask the Board if they had any further questions on this matter before they made their decision.

Commissioner Dahlstedt commented on Department Finding #1. He stated that the language used was misleading when describing that the 26 acres cannot be developed residentially "unless approved by the appropriate County Officials". He stated that language like this should not be used unless it is actually a possibility. Commissioner Dahlstedt stated that he would like this kind of language fixed. Commissioner Dahlstedt asked if Victor Benson could have first combined the parcels so that the acreage was large enough to qualify for residential development, and then applied to build a house, would it have been approved?

Grace Roeder, Senior Planner, answered that the acreage Mr. Benson requested to attach the parcel to is a certified lot of record and is not eligible for residential development. She went on to say that the Skagit County Code does allow a person to join parcels together until there is sufficient acreage to build on, however, the 26 acres in question has the pre-existing condition which makes it ineligible for residential development. The only way to allow Mr. Benson's request to continue is to rescind the pre-existing condition.

Gary Christensen stated that previous variances granted in 1988 used this standard condition language. This language used 23 years ago can be debated whether this creates false hope or is misleading, however Mr. Christensen pointed out that any applicant or landowner who wants to

pursue a land use approval, or a modification to an existing one, can do a pre-development application with the department, and then the department will do their best to explain to the applicant any hurdles, conditions, or constraints there may be during the application process.

Commissioner Dahlstedt is not sure how fair and consistent this case is. He understands that the rules need to be followed. He wants to be sure that policies are fair and consistent for all parties.

Chairman Wesen asked Mr. Christensen if any variances granted in 1988 have been changed, or was Mr. Benson the first to apply for this?

Mr. Christensen stated that he was not aware of any.

Ms. Roeder stated that she remembers a 50 acre parcel in Chuckanut tried to have the condition removed three different times, and each time it was not approved.

A motion was made by Commissioner Dillon to approve that the Board uphold the Recommendation of denial by the Hearing Examiner on Variance Request PL10-0298 by Victor Benson to allow the rescinding of Condition #2 of Variance V88-002 and combining of parcels substandard in size to the required minimum lot size in the Agricultural Zone in order to allow residential development. Commissioner Dahlstedt seconded the motion. The vote passed unanimously.

Mr. Christensen stated that Planning and Development Services would prepare the Resolution showing their action taken today and submit it for signature on an upcoming consent agenda.

2. Discussion: Guemes Island Subarea Plan

Mr. Christensen stated that he would like this item postponed pending discussion with legal counsel regarding some technical and procedural issues. After the issues are resolved, the department will bring the document back before the Commissioners for their reconsideration.

Commissioner Dillon added that she would like to schedule a work session with Mr. Christensen and staff to review and update the processes in place in order to make the work flow more efficient.

Mr. Christensen believes that would be a good idea.

Chairman Wesen asked Mr. Christensen for a complete copy of the final version of the plan to review before he votes on it. He also wanted to be sure that the residents on Guemes Island be kept informed on the status of the plan.

Mr. Christensen stated that a clean copy of the plan would be posted on the website. Commissioner Dahlstedt requested that Mr. Christensen find out if, after they approve of the plan, any other changes can be made to it in 2011.

Chairman Wesen recessed the proceedings at 8:51 a.m.

3. Miscellaneous

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

b) 10:00 a.m. - 10:45 a.m. Work Session: Skagit Conservation District Project Updates

Chairman Wesen reconvened the proceedings at 10:00 a.m.

Carolyn Kelly, Skagit Conservation District's Manager, was present to discuss projects from 2010 and share what is planned for 2011. She stated that she would also like to know what the Commissioners would like them to focus on in 2011. The Supervisors of Skagit Conservation are the same for 2011, however, they do have one elected and one appointed position opening this year. She stated that a legal notice with more information would be in the newspaper and information would also be on their website.

Carolyn Kelly, and other staff from Skagit Conservation District including: Jennifer Hinderman, Firewise Program Coordinator and Resource Technician; Cindy Pierce, Youth Education and Data Information Coordinator; Kristi Carpenter, Public Information and Education Coordinator; and John Schuh, Livestock, Small Farm Planning and Technical Program Coordinator all discussed multiple projects from 2010 and shared some of the projects for 2011. Some of the projects discussed include: Best Management Practices, Firewise Projects, Farmland Legacy property monitoring, salmon enhancement projects, log jam removals, riparian restoration, forest road and culvert projects, youth and adult outreach, school poster contest, Envirothon, plant sale, low impact development, storm water education, Clean and Green car wash kits, Stream Team program, Watershed Masters program, backyard conservation stewardship program, community workshops, stream ecology workshops, newsletters, marine biotoxin monitoring, annual mud-run, Samish watershed improvements, writing of conservation plans for farms, planting projects, and fencing projects.

Commissioner Dahlstedt stated that the media has focused on cleanup efforts in the Samish watershed area. He understands that there is funding available through the Soil Conservation District for fencing etc. and that if fencing or water is needed for livestock, they can be contacted since there is still money available for those projects. He also understands that the Skagit Conservation District is non-regulatory so that if a landowner is having problems, they may contact the Skagit Conservation District without the fear of negative consequences and it will be a partnership working to correct any problems.

Ms. Kelly asked for feedback from the Commissioners.

Commissioner Dillon appreciates what they are doing for Skagit County. She sees all of the volunteers that come from their programs and thinks it is a valuable way to continue their work and spread the word. She would like them to focus on youth education and the Firewise Program. She believes that if children learn best practices, they will continue with the practices throughout their life and share them with their parents. She appreciates the Firewise Program creating safer communities. Commissioner Dahlstedt stated that partnerships and volunteering are important. Their work helps keep animals out of streams, where children often play in the summertime. He stated that too many dairy farms are being lost and we need to help them be good stewards. He is thankful that the Soil Conservation District is a partner. He finds it unfortunate that there always seems to be a handful of individuals who do not make the effort to improve the situation. He would like education and positive encouragement to continue. Commissioner Dahlstedt is proud to be their partner.

Chairman Wesen thanked Skagit Conservation District for their presentation and for the projects they do year to year. He would like to see their volunteer programs continue every year. Chairman Wesen recessed the proceedings at 10:54 a.m.

- c) 11:00 a.m. - 11:30 a.m. Public Hearing to Consider Testimony Regarding Revision No. 1 to the 2011 - 2016 Six-Year Transportation Improvement Program (TIP)

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

Henry Hash, Director of Public Works, was present and he congratulated Ron Wesen on his nomination as Chair of the Board and also congratulated Sharon Dillon for a job well done in 2010. Mr. Hash introduced Ann Marie Gutwein, Transportation Planning Services Section Manager, to discuss the changes to the 2011 – 2016 Six Year Transportation Improvement Program (TIP).

Ms. Gutwein explained the changes to some of the projects listed on the 2011 – 2016 Six Year Transportation Improvement Program (TIP). She informed the Commissioners that any time funding was increased, decreased, or obtained for TIP projects; the list was required to be updated. Ms. Gutwein explained the additions and changes to the 2011 – 2016 Six Year TIP which included the following projects: Anacortes Ferry Dock Rehabilitation, Guemes Island Ferry Dock Rehabilitation, Old 99N Bridge Corridor Study, Samish River Prairie Road Bridge Rehabilitation, Run-off-the-Road and Intersection Safety Project, Skagit River Bridge Modification and Interstate Highway Protection Project, and the Francis Road Reconstruction Project.

Chairman Wesen opened the public hearing at 11:11 a.m. Seeing no one present to give testimony, Commissioner Dahlstedt made a motion to close the public hearing, which was seconded by Commissioner Dillon. The motion passed unanimously.

A motion was made by Commissioner Dillon to approve the adoption of Revision No. 1 to the 2011-2016 Six Year TIP. Commissioner Dahlstedt seconded the motion.

The vote passed unanimously.

Ann Marie Gutwein stated that after the revision is sent to the Washington State Department of Transportation, and they add it to their list, the funds will be obligated to each project. She believed this would happen in February.

Chairman Wesen recessed the proceedings at 11:13 a.m.

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

Chairman Wesen reconvened the proceedings at 11:30 a.m.

Seeing no one present, Commissioner Dillon made a motion to close the public comment period, which was seconded by Chairman Wesen. The motion passed unanimously.

Commissioner Dillon hoped that everyone had a safe holiday season and she shared her hope that 2011 would be a better year.

Chairman Wesen appreciates living in a beautiful area. He stated that is glad that Henry Hash is directing the Public Works Department and he is looking forward to the completion of some of their upcoming projects.

IV. ADJOURNMENT

Chairman Wesen adjourned the proceedings at 11:32 a.m.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Ron Wesen, Chairman

Kenneth A. Dahlstedt, Commissioner

Sharon D. Dillon, Commissioner

ATTEST:

Linda Hammons, Clerk of the Board