

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
TUESDAY, APRIL 5, 2011**

The Skagit County Board of Commissioners met in regular session on Tuesday, April 5, 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. Public Works: Henry Hash, Director:

1. Discussion: 2010 Year-End Drainage Utility Report

Henry Hash, Director, introduced Dan Berentson, Division Manager of Natural Resources, and Jan Flagan, Surface Water Section Manager.

Dan Berentson stated that the Drainage Utility was formed by the Board of County Commissioners in 1994 in order to address drainage issues within Skagit County.

Jan Flagan briefed the Board on the accomplishments of the Drainage Utility in 2010. She stated that 110 projects were successfully completed. Ms. Flagan informed the Commissioners that the Drainage Utility is divided it up into four sections: watershed planning, drainage concerns, storm water projects, and the storm water National Pollutant Discharge Elimination System (NPDES). Ms. Flagan stated that the Drainage Utility Department of Public Works partnered with different agencies on multiple projects for the mutual benefit of both. She described some of the projects which were completed in 2010, and showed a graph to the Commissioners which depicted funding amounts. Ms. Flagan ended by stating that anyone with questions or concerns could contact them at telephone number 360-336-9400.

Commissioner Dillon said that she appreciated their department since Skagit County deals with a lot of water, and she was pleased that they assist citizens who have water or drainage issues.

Commissioner Dahlstedt said that the public likes to see what their taxes and fees pay for and he appreciates the department maximizing these funds for the public's benefit. He said that balancing salmon restoration projects and resources with the needs of the general public was important. Commissioner Dahlstedt stated that he understands that the department has worked on

many fish passage projects and he requested that before and after photographs of these fish passage projects be posted on the website.

Chairman Wesen thanked the Public Works Department for helping citizens with drainage issues. He said that people needed to be fully aware of drainage on their property, as well as nearby, when they purchase a house. He said it is important to know what type of drainage district you may live in since the different entities manage water differently.

Mr. Berentson listed some of the current projects which the Drainage Utility is currently working on.

Chairman Wesen asked how citizens could find out if they were in the Skagit County Drainage Utility or another drainage district.

Ms. Flagan stated that one way to find out is to look at your tax statement, or go online to [www.skagitcounty.net](http://www.skagitcounty.net) and through the Assessor's webpage, navigate to the Tax Statement which would show what special assessments you may be paying into and whether it is a Drainage District or Drainage Utility.

Commissioner Dillon pointed out that the Drainage District's and the Skagit County Drainage Utility are separate entities and managed differently.

Chairman Wesen clarified by stating that Drainage District's were set up a long time ago in order to address water issues in the fields and on the farms, which is why residential drainage issues are managed differently in these areas.

Chairman Wesen recessed the proceedings at 8:58 a.m.

2. Miscellaneous

There were no miscellaneous items for Public Works to discuss.

b) 9:30 a.m. - 10:00 a.m. Skagit County Fire Marshal: Kelly Blaine, Interim Director:

1. Public Hearing: Proposed Increases to Commercial and Residential Burn Permit Fees

Chairman Wesen reconvened the proceedings at 9:32 a.m.

Kelly Blaine, Interim Fire Marshal, was present to discuss amending Resolution No. R20020310 and updating the fees charged for residential and commercial burning. Mr. Blaine stated that raising fees would help offset the decrease in revenues in order to be able to maintain the current level of service to the community. Mr. Blaine reviewed proposed fees for 2011 and also discussed plans for changes to the fees in 2012 and 2013.

Chairman Wesen asked if the current proposed resolution was for all three years or only for 2011.

Mr. Blaine answered that the current proposed resolution was prepared to only address fees for 2011. Commissioner Dahlstedt inquired whether or not there were any Interlocal agreements in place with local fire departments, and other agencies, for issuing burning permits. He asked because he understands that the fire departments often respond to inquiries of burning with or without a permit.

Julie O'Shaughnessy, Director of Compliance at Northwest Clean Air Agency, stated that permitting for fires in the county is performed by Skagit County and the Northwest Clean Air Agency through the Fire Warden program. She stated that Fire Wardens issue burn permits and follow up on complaints received about burning and, that at this time, no county fire districts have the authority to issue burn permits. Commissioner Dillon was under the impression that people could only burn during certain times of the year and that burning could not be performed year-round. She asked for clarification on this.

Mr. Blaine and Ms. O'Shaughnessy answered that burning is allowed at any time, except when a burn ban is in effect, and that burn bans take place when air pollution or fire danger is high. Ms. O'Shaughnessy indicated that burning within the city limits is not permitted.

Commissioner Dahlstedt and Ms. O'Shaughnessy discussed funding and whether cutting or decreasing employee positions needed to be looked into, or, some sort of expanded partnership with the Department of Natural Resources, since revenue was down.

Commissioner Dillon pointed out that a lot of people are no longer burning their piles but are now recycling and composting them.

Mr. Blaine and Ms. O'Shaughnessy agreed with Commissioner Dillon's observation and said the hope has been that burn piles would be converted into recycling and composting piles.

Ms. O'Shaughnessy ended by saying that she supports the proposed fee increase and the proposed fee rate.

Chairman Wesen opened the public hearing at 9:43 a.m.

Jim Hinton of Mount Vernon stated that he has burned many piles over the years and he used to be permitted through the Department of Natural Resources (DNR). He stated that a \$50 permit from DNR allowed him to burn an entire year. Mr. Hinton compared 10 foot burn piles to 4 foot burn piles. He believed people needed to be better educated on how to burn. He stated that he would be against the proposed changes to the fees and believes that permits for burning are not usually issued year-round, so perhaps a full-time position should be reduced to match the permitting.

Fred Wefer, with the Department of Natural Resources (DNR), stated that Mr. Hinton made a common mistake regarding how DNR issues burning permits. Mr. Wefer stated that when a \$50 burning permit is issued by DNR,

the permit is good for one year, but is only valid for the actual burn pile present at the time the permit is issued. For example, if a permit for a 10 x 10 burn pile was issued, it is for burning that 10 x 10 pile within a year, not for any and all burning of piles in the year. Mr. Wefer stated that once the pile which the permit was issued for is gone, then the permit is null and void.

Commissioner Dahlstedt and Mr. Wefer discussed the potential for Skagit County and DNR to work together and share costs for issuing burning permits.

Seeing no further public testimony forthcoming, 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 that the Commissioners make a decision on the proposed fee schedule on Tuesday, April 12, 2011, at 11:00 a.m. Commissioner Dahlstedt seconded the motion. The vote passed unanimously.

Chairman Wesen recessed the proceedings at 9:53 a.m.

c) 10:00 a.m. - 10:30 a.m. Parks, Recreation and Fairgrounds: Brian Adams, Director:

1. Public Hearing: Amending the Parks and Recreation Code, Chapter 9.41 (SCC)

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

Pauli Mickelson, Administrative Manager of Parks, Recreation and Fairgrounds, stated that the proposed ordinance was necessary in order to clarify the code regarding ticketing non-paying offenders at the Swinomish boat launch, as well as complying with Washington State laws regarding possession of firearms within parks. Ms. Mickelson introduced Arne Denny, Senior Deputy Attorney with the Prosecuting Attorney's Office, to discuss the ordinance further.

Mr. Denny said that the current code was missing the penalty section and that, although the intent of the code was obvious, the penalty language would need to be added in order to make it clear. Mr. Denny also stated that some surplus language would be deleted and that it would be brought into compliance with Washington State laws regarding possession of firearms.

Chairman Wesen said that he appreciated it coming into compliance with Washington State regulations.

Commissioner Dillon clarified the issue of firearms within the Padilla Bay Shore Trail.

Seeing no further public testimony forthcoming, Commissioner Dillon made a motion to close the public hearing at 10:05 a.m., which was seconded by Commissioner Dahlstedt. The motion passed unanimously.

Commissioner Dahlstedt stated that since no testimony had been received against this proposed change, and due to the fact that the change requested is for “housekeeping”, he suggested that the proposed change to the ordinance be approved.

A motion was made by Commissioner Dahlstedt to approve the ordinance amending the Skagit County Parks and Recreation Code, Chapter 9.41. (**Ordinance No. O20110006**) Commissioner Dillon seconded the motion.

The vote passed unanimously.

Pauli Mickelson thanked the Commissioners and wanted to briefly inform them of the upcoming “18<sup>th</sup> Annual Garage Sale, Antiques and More” event located at the Skagit County Fairgrounds on Saturday, April 9<sup>th</sup> and Sunday, April 10<sup>th</sup>, 2011. She stated that multiple vendors would be selling items, that food vendors would be on site, and that Lang’s Pony Farm would be giving children pony rides.

The Commissioners thanked Ms. Mickelson and Chairman Wesen recessed the proceedings at 10:07 a.m.

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

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

Andrew and Tillie Young of Sedro-Woolley expressed their appreciation for the Farmland Legacy Program and for Natural Resources Lands Policy Coordinator, Kendra Smith, who helped them with their recent project.

The Commissioners thanked them for their participation in the Farmland Legacy program.

Commissioner Dahlstedt stated that the Farmland Legacy Program is important and that the challenge has become not only having farmland, but making sure that farming is economically viable.

Commissioner Dillon agreed with Commissioner Dahlstedt. She appreciates the program and she shared her hopes that perhaps something similar could be put together for forestry in Skagit County.

Chairman Wesen understood that the farmland conservation program put over 1,000 acres into protection. Chairman Wesen ended by reminding everyone that the Skagit Valley Tulip Festival had started.

IV. ADJOURNMENT:

Chairman Wesen adjourned the proceedings at 11:35 a.m.

**BOARD OF COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON**

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Ron Wesen, Chairman

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Kenneth A. Dahlstedt, Commissioner

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Sharon D. Dillon, Commissioner

ATTEST:

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Linda Hammons, Clerk of the Board