

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
TUESDAY, AUGUST 9, 2011**

The Skagit County Board of Commissioners met in regular session on Tuesday, August 9, 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.

Commissioner Dahlstedt's absence was excused from this portion of the proceedings.

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. Discussion/Possible Acton: Public Meeting for Review and Possible Signature of the Final Plat Approval Request #PL07-0187 for the Dahlstedt Family Properties Binding Site Plan

Deputy Director of Planning and Development Services Bill Dowe was present to introduce the agenda item and answer any questions.

Brandon Black, Senior Planner, stated that the purpose of the public meeting was to review and potentially take action on the Final Plat approval request #PL07-0187 for the Dahlstedt Family Properties Binding Site Plan. He explained that the project was located within the Bayview Ridge Heavy Industrial (BR-HI) at 13213 Farm to Market Road, along the southeast corner intersection of Ovenell Road and Farm to Market Road in Mount Vernon. He said that the project proposal included the division of approximately 37.85 acres into 8 industrial lots.

Mr. Brandon said that the Planning and Development Services Department recommended that the Board approve the Final Binding Site Plan for the Dahlstedt Family Properties L.L.C. (#PL07-0187).

There was a brief discussion about the septic, drainage and water systems.

A motion was made by Commissioner Dillon to approve that the Board approve the Final Binding Site Plan for Dahlstedt Family Properties L.L.C. (#PL07-0187) and sign the Final Plat Mylar.

Chairman Wesen seconded the motion.

The vote passed unanimously.

2. Miscellaneous

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

Commissioner Wesen recessed the proceedings at 8:40 a.m.

- b) 10:00 a.m. - 10:30 a.m. Presentation: Friendship House, Marie Marchand, Executive Director

Chairman Wesen reconvened the proceedings at 10:00 a.m., with Commissioner Dahlstedt present.

Tina Tate, Friendship House Board President, shared her personal story and experience with homelessness. Ms. Tate explained that Friendship House Board had developed a strategic plan, which focused on personnel, programs, services and transitional housing.

Marie Marchand, Executive Director, was present and provided a PowerPoint presentation, which explained the mission and vision of Friendship House. She explained that it costs approximately \$30,000 per month to operate Friendship House. She reported that the Friendship House receives 65% of its funding from individuals, businesses and churches; 18% from foundations; 13% from Skagit County Government; and 4% from federal and city funding.

Coral Brown, a current resident of Friendship House, was present to share her personal experience.

Commissioner Dahlstedt said that Friendship House was an essential part of the community.

Commissioner Dillon spoke about her recent tour of Friendship House.

Commissioner Wesen thanked everyone for the presentation and recessed the proceedings at 10:30 a.m.

- c) 10:30 a.m. - 11:30 a.m. Planning & Development Services - Gary Christensen - Director:

1. Presentation/Discussion and Possible Action: Resolution To Direct Staff to Consider Enrollment in the ESHB 1886 (Implementing Recommendations of the Ruckelshaus Center Process) Voluntary Stewardship Program for Critical Areas Protection

Chairman Wesen reconvened the proceedings at 10:33 a.m.

Deputy Director of Planning and Development Services Bill Dowe was present to introduce the agenda item.

Senior Planner Betsy Stevenson explained that the purpose of the presentation was to consider enrollment in the Engrossed Substitute House Bill (ESHB) 1886, which establishes a Voluntary Stewardship Program for the protection of critical areas. She explained that over the past four years, the University of Washington, through

the William D. Ruckelshaus Center, had worked with Skagit County, environmental, agricultural, and tribal interests to find a way to protect and enhance critical areas while maintaining and improving the long-term viability of agriculture. Ms. Stevenson said that Skagit County participated in the process, which led to the development of legislation that established the Voluntary Stewardship Program.

Civil Deputy Prosecuting Attorney Ryan Walters provided a PowerPoint presentation, which explained in detail the Voluntary Stewardship Program. Mr. Walters said he had been involved in the Ruckelshaus Center Committee work since its inception. He noted that the Washington State Growth Management Act (GMA) had established 13 planning goals, which included goals to protect the environment, conserve fish and wildlife habitat, maintain and enhance natural-resource based industries, and protect productive agricultural lands from conversion to other uses. He explained that Skagit County had made efforts to comply with GMA's directives to protect critical areas, and that the efforts resulted in challenges by the Swinomish Indian Tribal Community and other parties to the Growth Management Hearings Board.

Mr. Walters said that the Voluntary Stewardship Program was established as an alternative approach to allow counties the opportunity to protect critical areas on lands used for agricultural activities. He explained that counties that elected to opt-in to the Program were eligible for state funding to implement the Program. He explained that counties were not required to implement the Program until funding was made available.

Mr. Walters explained that counties had the option to opt-out of the Program by not taking any action. He went on to say that if the Skagit County chose to opt-out of the Program the existing law would apply and the County would have an obligation to protect critical areas through development regulations. He said that if the County chose to opt-out of the Program it would mean the Agricultural-Critical Areas Ordinance (Ag-CAO) would not be compliant with the GMA. The County's deadline to comply with the GMA was December 28, 2011.

Mr. Walters presented a resolution to direct staff to consider enrollment in the ESHB 1886 Voluntary Stewardship Program for Critical Areas Protection and said that more information could be found at www.skagitcounty.net/ag-cao.

Commissioner Dillon said she had read the resolution and liked that it included a chance for the public participate in the process.

Commissioner Dahlstedt addressed his concerns about opting in to the Program. He said that the County had been challenged on its Ag-CAO and had gone before the Growth Management Hearings Board and the Supreme Court. He said that even if the County were in the Program that would not guarantee that it would not be sued and incur significant legal expenses. He said he thought the County should consider correcting the County's Management Program and implement benchmarks and triggers.

Commissioner Wesen clarified that the Ag-CAO would need to be updated at the same time as that work was being done in each watershed. He went on to discuss the existing buffers on most of the streams in Skagit County and the possibility to provide landowners with the opportunity to take advantage of the Conservation Reserve Enhancement Program (CREP).

A motion was made by Commissioner Dillon to approve the resolution to consider enrollment in ESHB 1886 voluntary stewardship program for critical areas protection. (**Resolution No. R20110239**) Commissioner Dahlstedt seconded the motion.
The vote passed unanimously.

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

Chairman Wesen opened the public comment period at 11:40 a.m.

Ed Stauffer of P.O. Box 114 in Bow, commented on his concerns of feeling marginalized as a homeowner in unincorporated Skagit County when he hears the term "preexisting non-conformance use" being used by the County. He said that programs like the ESHB 1886 Voluntary Stewardship Program for critical areas protection often marginalize the homeowners. He said that the taxpayers and homeowners were not included and were not provided with an avenue to provide dialogue and input in the County's process. He suggested that the public process should start sooner rather than later. He went on to address his concerns about relying on non-committed federal funding to implement the Voluntary Stewardship Program. He urged the Commissioners to read the report that reviewed Skagit County's water quality monitoring program, which was prepared by Washington State University "*Review of Skagit County Water Quality Monitoring Program*".

- e) *3:45 p.m. Skagit Safe Kids Board Meeting (Skagit EMS, 2911 East College Way, Mount Vernon)

IV. ADJOURNMENT:

Chairman Wesen adjourned the proceedings at 11:50 p.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