

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
TUESDAY, SEPTEMBER 27, 2011**

The Skagit County Board of Commissioners met in regular session on Tuesday, September 27, 2011, with Commissioners Wesen, A. Dahlstedt, and D. Dillon present.

**I. CALL TO ORDER:**

Chairman Wesen called the proceedings to order at 9:31 a.m.

**II. PLEDGE OF ALLEGIANCE:**

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

**III. AGENDA:**

a) 8:30 a.m. - 9:00 a.m. Public Works - Henry Hash, Director:

1. Update: Clean Samish Initiative

Henry Hash introduced Water Quality Analyst Rick Haley who reminded the Commissioners that over twenty organizations are involved in the Clean Samish Initiative including federal, state, tribal, county, and non-governmental agencies. Mr. Haley said that Skagit County is the lead agency in the group effort and that after renewed interest from the state last spring efforts have increased to clean up the pollution sources. Mr. Haley stated that monitoring has continued, landowner contacts and inspections have increased, and educating and reaching out to the public has increased.

Mr. Haley introduced Water Resource Technician Mary Sutton-Carruthers who explained that Planning and Development Services, the Health Department, and Public Works have been working on monitoring the quality of water samples. Ms. Sutton-Carruthers showed a map depicting the areas in the Samish Basin with the highest fecal coliform counts and she explained the types of letters that have been mailed out to property owners in those areas as well as the follow up work involved with investigating the properties in the Samish Basin. She pointed out that multiple agencies help investigate the properties in the high risk areas.

There was further discussion of the inspections performed in the Samish Basin and a map was shown of the parcels and which ones contributed to pollution in the Samish Watershed. There was also discussion regarding including the Samish watershed in the Marine Recovery Area.

Mr. Haley updated the Commissioners on the DNA testing of samples from the Samish watershed and after receiving different results from two different agencies, they concluded that more testing should be performed. The labs showed the following species contributing to the fecal coliform counts: human, ruminant, avian and canine. Mr. Haley was surprised that

equestrian DNA did not show up in any of the samples, as there are many located in the watershed.

Mr. Haley said that monitoring will continue and a rapid response team is still in place to look into problem areas when fecal coliform counts spike. He said that property inspections will continue as well as education and outreach and they are looking forward to getting another round of results from DNA testing of samples.

Water Resources Section Manager Gary Stoyka discussed the grant funding for the Clean Samish Initiative as well as: Puget Sound Partnerships research into funding for another field inspector to help with the backlog of work, the application for a pathogen reduction grant to help perform inspections and disseminate and manage the massive amount of data collected from field visits and sampling, research into additional funding to cover additional DNA tests, the need to test other areas in the county that have water quality problems.

Commissioner Dahlstedt stated that in some areas of Skagit County, septic systems are used, even though sewer lines were also nearby. He indicated that there should be legislation to allow these areas to hook up to sewer system.

Mr. Stoyka said that he would discuss the possibility with Planning and Development Services.

Chairman Wesen thanked Public Works for the presentation and said that education is an important factor in the process and everyone working together can reduce pollution.

## 2. Miscellaneous

Public Works did not have any miscellaneous items to discuss. Chairman Wesen recessed the proceedings at 9:01 a.m.

### b) 9:00 a.m. - 9:30 a.m. Planning and Development Services - Gary Christensen, Director:

Chairman Wesen reconvened the proceedings at 9:04 a.m.

#### 1. Update: Shoreline Master Program

Gary Christensen introduced Senior Planner Betsy Stevenson. Ms. Stevenson reported that a Draft Shoreline Inventory and Characterization Report had been released and they were looking forward to receiving comments by October 14, 2011. Mr. Stevenson requested that comments be mailed to her at 1800 Continental Place, Mount Vernon, WA, 98273; called in at 360-336-9410, or emailed to her at: [betsyds@co.skagit.wa.us](mailto:betsyds@co.skagit.wa.us). Ms. Stevenson discussed the report and the committee's goals.

The Commissioners encouraged people to submit comments.

2. Miscellaneous

Chairman Wesen recessed the proceedings at 9:15 a.m.

c) 9:30 a.m. - 9:45 a.m. Budget and Finance - Trisha Logue, Director:

Chairman Wesen reconvened the proceedings at 9:30 a.m.

1. Public Hearing/Possible Action: Amending the 2011 Skagit County Budget

Trisha Logue explained each proposed budget amendment from the following Skagit County Departments:

Assessor, Board of Equalization, Commissioners, Coroner, District Court, Prosecuting Attorney, Sheriff, Noxious Weeds, Contributions to Active Funds, Sustainability, Public Health, Elections, County Roads, Community Services, Planning and Development Services, Boating Safety, and Facility Improvement.

The Commissioners voiced concerns over the request from Planning and Development Services (PDS) and agreed that they would need to receive an action plan from PDS which outlined how their budget would be re-balanced.

Chairman Wesen opened the public hearing at 9:43 a.m. and seeing no public 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 Sharon Dillon to approve the third quarter supplemental budget as outlined by the Budget and Finance Director with the following changes that funds not be transferred from the active fund to Planning and Development Services until a plan to balance the budget had been given to the Board of County Commissioners (**Resolution No. R20110305**). Kenneth Dahlstedt seconded the motion.

The vote passed unanimously.

2. Miscellaneous

There were no miscellaneous items to discuss. Chairman Wesen recessed the proceedings at 9:47 a.m.

d) 10:00 a.m. - 10:30 a.m. Public Works - Henry Hash, Director:

Chairman Wesen reconvened the proceedings at 10:01 a.m.

1. Presentation: 2011 Guemes Island Ferry Operations Status Report

Mr. Hash, Ferry Operations Manager Rachel Beck, and Ferry Committee

Chairman Glen Veal were all present to discuss the 2011 Operations Status Report.

Mr. Veal stated that he was pleased with the interactions between Skagit County Public Works and the Ferry Committee. He thanked Skagit County for finding funding for the recent repairs and projects over the last year and he thanked Skagit County for the periodic meetings held on Guemes Island.

Ms. Beck discussed the report and said that it was recently posted online. Ms. Beck summarized each section of the report which included:

1. Overview of the Guemes Island Ferry System and Facilities;
2. Guemes Island Ferry Annual Accomplishments;
3. Ferry Related Projects;
4. Annual Programs;
5. 2011 Ferry Service Sailing Schedules;
6. Vehicle and Passenger Ridership Summaries;
7. 2011 Ferry Fare Schedule;
8. Ferry Ticket Sales and Revenue Summaries;
9. 2011 Guemes Island Ferry Fare Revenue Target Report;
10. Washington State Ferry Deficit Report;
11. 2011 Ferry Operations Work Plan;
12. Draft 2012 Ferry Operations Work Plan;
13. 2011 Ferry Operations Progress Report;
14. Annual Public Forum Agendas and Summaries; and
15. 2011 Operational Summaries.

Ms. Beck stated that the projects over the last year were completed on time and on budget and that a Skagit Transit bus stop was added to the Anacortes terminal. Other recent changes included: employees wearing name tags at the ferry terminal, hazardous waste transport schedule change, the addition of a shelter for citizens to wait in who have animals, the creation of a customer survey form, webcams that show the ferry lines on Guemes Island and Anacortes, mail ordering punch cards, and ticket machine installations. Ms. Beck thanked her staff, their partners in the community, and the leadership from Mr. Hash.

The Commissioners thanked Public Works for the updates and stated that they were pleased with the improved communication between Skagit County and the community on Guemes Island. The Commissioners also wanted to thank Senator Cantwell who helped obtain funding for the terminal building.

## 2. Miscellaneous

Since Public Works had no miscellaneous items to discuss, the Commissioners announced that they had a motion and an announcement to make.

A motion was made by Kenneth Dahlstedt to approve the Junior District Payroll warrants numbered 994093 through 994264 in the total dollar amount of

\$248,855.09 (Transmittal No. P-36-11). Sharon Dillon seconded the motion. The vote passed unanimously.

Chairman Wesen announced that the Commissioners would be attending an executive session on Thursday, September 29, 2011, at 2:30 p.m.

The executive session lasted from: 2:36 p.m. to 4:15 p.m. and the topic was Personnel Disciplinary Matters - RCW 42.30.110(1)(f). (Matters relating to complaints against County employee or elected official.) The Commissioners, County Administrator Tim Holloran, Budget and Finance Director Trisha Logue, and Human Resources Director Billie Kadrmas attended as well. Chairman Wesen recessed the proceedings at 10:31 a.m.

- e) 10:30 a.m. - 11:00 a.m. Public Hearing/Possible Action: Request to Lease a County-Owned Building Located at 220 Michael Street in the Town of Sedro-Woolley (commonly known as the Skagit Regional Food Distribution Center) by Skagit County Community Action Agency

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

County Administrator Tim Holloran informed the Commissioners that Skagit County Community Action Agency (SCCAA) had submitted an application to lease county property and that a public hearing was required to gather testimony before a decision could be made. Mr. Holloran stated that the facility was recently renovated and that SCCAA contributed \$55,000 towards the project.

Chairman Wesen opened the public hearing at 10:35 a.m.

Executive Director of SCCAA Bill Henkel was present and stated that they work with every food bank and support many food programs. He stated that he was pleased that the project was complete and believed it symbolized cooperation. He stated that the distribution of food could be increased and more people could be fed. He said that he hoped the lease would be approved. SCCAA Board Member Karen Parnell stated that the completion of the project meant that they could distribute higher quality food to the food banks. She said that 14 food banks would benefit from the center and that SCCAA was also planning on providing nutrition classes in a portion of the new building.

Seeing no further 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 Sharon Dillon to approve leasing County property located at 220 Michael Street in Sedro-Woolley to Skagit County Community Action Agency. **(Resolution No. R20110306)** Kenneth Dahlstedt seconded the motion. The vote passed unanimously.

Mr. Holloran thanked the Upper Skagit Indian Tribe for working with the Sedro-Woolley Food Bank. He stated that they relocated due to an issue with parking and that the Sedro-Woolley Food Bank has been able to serve the community from the new location. The Commissioners reminded everyone that SCCAA appreciates

volunteers and contributions as they serve an ever growing need in the community as the economy has not improved.

Chairman Wesen recessed the proceedings at 10:46 a.m.

- f) 11:00 a.m. - 11:30 a.m. Decision: Closed Record Appeal PL11-0254, Submitted by Kees C. Hofman, Ph.D., to Revoke Special Use Permit PL10-0076, Submitted by Jeffrey & Melinda VanDenTop to Operate an Outdoor Shooting Club

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

Commissioner Dillon stated that she read the file and considered the testimony and that the decision which they have to make cannot be a personal one as it must be based on Skagit County Code. She stated that county roads could not have restrict use and that she would like to make sure that traffic issues are resolved and that the reports requested by the Hearing Examiner are submitted in time. Chairman Wesen stated that he also read through the material in the file and listened to everyone's comments. He stated that the Commissioners have to follow the current rules in place when making a decision and that the rules do not forbid the use of the applicants property for the events; nor did the Hearing Examiner make an erroneous decision. Chairman Wesen agreed that he would like to make sure that the traffic issues are resolved.

Commissioner Dahlstedt said that he considered the appeal and understands that the noise coming from the applicants property could be irritating but the Commissioners review the rules in place and what was brought forward by the appellants was reviewed by the Commissioners as well as the legal department and it was agreed that a case was not made which proved that the Hearing Examiner made an incorrect decision.

A motion was made by Kenneth Dahlstedt to approve the resolution pertaining to the Closed Record Appeal (PL41-0254) of a Special Use Permit Application (PL10-0076) for an outdoor shooting club and that the appeal (PL07-0407) be denied and the decision by the Hearing Examiner be upheld. (**Resolution No. R20110307**). Sharon Dillon seconded the motion.

The vote passed unanimously.

Senior Planner Marge Swint stated that the applicant had submitted the noise report from the recent shooting event and was being reviewed by Environmental Health Specialist Ron Palmer.

Commissioner Wesen recessed the proceedings at 11:07 a.m.

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

Chairman Wesen reconvened the proceedings at 11:30 a.m. and excused Commissioner Dahlstedt who was attending his nephew's funeral. Seeing no one present to comment, the Commissioners gave their sympathies to the Dahlstedt family, announced that the Mount Vernon Downtown Association made it into the Guinness Book of World Records, and said that cabins were now available for rent at

Skagit County's Howard Miller Steelhead Park.

VI. ADJOURNMENT:

Chairman Wesen adjourned the proceedings at 11:32 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