

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
TUESDAY, JUNE 19, 2012**

The Skagit County Board of Commissioners met in regular session on Tuesday, June 19, 2012, with Commissioners Kenneth A. Dahlstedt, Sharon D. Dillon, and Ron Wesen present.

I. CALL TO ORDER:

Chairman Dahlstedt called the proceedings to order at 8:31 a.m.

II. PLEDGE OF ALLEGIANCE:

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

III. AGENDA:

County Engineer Paul Randall-Grutter was present to introduce the agenda items and to answer questions.

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

1. Public Hearing/Possible Action: Consideration of the Vacation of a Portion of County Right-of-Way Known as Similk Bay Road, No. 16010

Engineering Technician Shane Whitney provided a map depicting the Similk Bay Road. He indicated that the Skagit River System Cooperative (Cooperative) and Skagit County staff had been working together on a fish habitat enhancement project. As part of the fish habitat enhancement project a portion of roadway had been removed and would not be reinstalled. The Cooperative and the adjacent property owner have requested that a portion of the right-of-way be vacated.

Mr. Whitney indicated that the proposed right-of-way to be vacated was currently closed and Similk Bay Road could not be used as a through road. He said that Public Works recommended that the Board of County Commissioners sign an order to vacate a portion of Similk Bay Road.

There was a discussion about whether there was the possibility to vacate the whole road. Mr. Whitney indicated that the County should maintain full right of way access in order to accommodate the multiple utilities located in the area.

Chairman Dahlstedt opened the public hearing at 8:43 a.m.

Andy Culbertson of 5909 Campbell Lake Road in Anacortes said that easements existed that would allow utility companies to maintain the utilities, he did not think the County would have any problems maintaining the section of road since the road was closed. He indicated that the project for salmon enhancement was a beneficial project.

Seeing no further public testimony forthcoming, Commissioner Dillon made a motion to close the public hearing at 8:45 a.m. Commissioner Wesen seconded the motion, which passed unanimously.

Commissioner Wesen indicated that the vacation was the final piece needed to complete the estuary project and he understood why it was needed.

Commissioner Dillon said she believed in the project but did not believe in vacating right-of-way because she had experienced circumstances in the past that there could be need for the right-of-way in the future.

Commissioner Dahlstedt expressed concerns about public and the County accessing the water. He indicated that there are some unanswered questions about public access to the water.

A motion was made by Commissioner Dillon to approve making a decision regarding the vacation of a portion of County right-of-way Known as Similk Bay Road, No. 16010 on Tuesday, July 24, 2012, at 8:30 a.m. Commissioner Wesen seconded the motion. The vote passed unanimously.

2. **Public Hearing: Consideration of Road Name Change Petition Request Regarding a Road Name Change of a Portion of County Road Known as Roney Road, No. 30610, South of Halloran Road**

Commissioner Dahlstedt announced that he had done business with the petitioner of the road name change, and felt that for the appearance of fairness he would abstain from participating in the proceedings. Chairman Dahlstedt left the proceedings at 8:51 a.m.

Traffic Engineer Given Kutz said that Public Works had received a petition requesting a road name change of a portion of County road currently known as Roney Road (#30610) to Hopley Road (#30620). Mr. Kutz indicated that 14 comments opposing the name change had been received.

Mr. Kutz showed a map depicting the section of road located on Samish Island along the section line between Sections 35 and 36 Township 36 North, Range 2 east, W.M., running north from Samish Island Road to Halloran Road for a length of approximately 0.44 miles.

Mr. Randall-Grutter stated that pursuant to Skagit County Code, the applicant had received the require signatures from 60% of addresses. He indicated that Public Works had recently received an e-mail from a resident who had previously supported the name requesting that his signature be removed from the petition.

Commissioner Wesen opened the public hearing at 8:58 a.m.

Julie Beldin Hopley of 619 West Hazel Street in Mount Vernon, stated that she went door-to-door to get signatures from residents. She provided a brief history of Hopley family from 1610 to 2012.

Craig Little of Roney Road said he had lived on that road for about five years. He said that was a volunteer firefighter for Fire District 5. He submitted a letter from the Samish Island Fire Department Fire Chief Michael Collins opposing the name change. Mr. Little said the name change of a main through fare would cause problems for fire and emergency response services. He suggested the park on Halloran Road could be named after the Hopley family.

Marnie Pennington of 5072 Roney Road stated that it would be costly to change all legal documents. She suggested that the Hopley name be recognized on Samish Island in another way.

Tim Van Leeuwen stated that he owned a lot on Roney Road. He said he did not think the name change was necessary.

Howard Brown a resident of Samish Island said that he knew and respected the Hopley family and suggested that the Hopley name be recognized in another way. He suggested the park become the Blau-Hopley Park.

Ken Schacht stated that he owned cabin at 10735 North Beach Road and shared memories of Mr. Roney and said Roney Road should not be changed.

Raymond Hopley said he lives on Roney Road and spoke in favor of the name change.

Doug Hopley of 9461 Samish Island Road spoke about the history of the Hopley family and provided suggestions that would recognize the Hopley family.

Chuck Pennington of 5072 Roney Road said that he was not opposed to the Hopley family but was opposed to the road name change. He asked that if the name change was approved that the petitioner should cover expense associated with changing documents.

Gary Storm 5182 Roney Road spoke in favor of keeping the name of the road the same.

Seeing no further public testimony forthcoming, Commissioner Dillon made a motion to close the public hearing at 9:26 a.m. Commissioner Wesen seconded the motion, which passed unanimously.

A motion was made by Commissioner Dillon to approve making a decision on this matter on Tuesday, July 3, 2012, at 8:30 a.m. or as soon thereafter as possible. Commissioner Wesen seconded the motion.

The vote passed unanimously.

Commissioner Wesen recessed the proceedings at 9:29 a.m.

3. Miscellaneous

There were no miscellaneous items for Public Works to discuss.

- b) 9:30 a.m. - 10:30 a.m. Washington State University (WSU), Skagit County Extension - Don McMoran, Director:

Chairman Dahlstedt reconvened the proceedings at 9:35 a.m.

Director Don McMoran was present to introduce the new Ideas for Living Program Coordinator Natalie Gustafson. He invited the Commissioners to attend WSU's 90th Birthday Celebration and Open House taking place on Thursday, August 30, 2012, from 11 a.m. to 3 p.m. at 11769 Westar Lane in Burlington.

Mr. McMoran provided information on the recent Jefferson Elementary field trip, Skagit County Pest Control Board, Annual Berry Grower's Breakfast, and various programs at WSU.

Horticultural Pest Control Coordinator Talea Price provided information about monitoring and controlling the Apple Maggot or Snowberry pests.

1. 4-H Program Update

4-H and Leadership Development Extension Educator William Freitas said that in 1902, A.B. Graham organized 85 Ohio youths into a club of boys and girls, which started the 4-H program. He reported that there are currently 6.5 million youths involved in the 4-H program. Mr. Freitas said that in Skagit County there are 500 members, 30 clubs, and 130 adult volunteer leaders. He provided information about the benefits of being a 4-H member. He said that about 92% of youth who graduate from the 4-H program in Skagit County were attending post-secondary education programs.

Mr. Freitas spoke about the Latino Outreach and Partnership, the 4-H Science Leadership Team; and the 4-H Team Conference taking place on June 24 through June 26, 2012, at Washington State University in Pullman; the 4-H Camp at Deception Pass taking place in July; the Japan - Summer Inbound 4-Week Program; 2012 Skagit County Fair, taking place August 8 through 11, 2012.

Mr. Freitas introduced the mentor of the Mount Vernon High School Latino/an Education Achievement Program (LEAP) Jesse Benavidez. Mr. Benavidez spoke about the (LEAP) club and his work with the migrant community.

2. Community Development and Public Issues Program Update

Community Development & Public Issues Regional Extension Educator Kay Haaland spoke about her extensive career at WSU Extension. She said she began her career in 1984 working for Livestock and will retire on July 31, 2012.

3. Miscellaneous

There were no miscellaneous items for WSU to discuss.

Chairman Dahlstedt recessed the proceedings at 10:30 a.m.

- c) 10:30 a.m. - 11:30 a.m. Planning and Development Services - Dale Pernula, Director:

Chairman Dahlstedt reconvened the proceedings at 10:34 a.m.

1. Presentation: Skagit Transfer of Development Rights Project

Senior Planner Kirk Johnson introduced proposed TDR Stakeholder Committee members: Skagitonians to Preserve Farmland Executive Director Allen Rozema, Skagit Land Trust Conservation Director Martha Bray, Skagit County/Island Builders Association (SICBA) Executive Director Wayne Kriegel, Forest Advisory Board Member Paul Kriegel, Agricultural Advisory Board member Kim Mower, Conservation Futures Advisory Committee (CFAC) Member Mike Hulbert, City of Burlington Planner Margaret Fleek, and Farmland Legacy Program Coordinator Kendra Smith. He indicated that the Committee was seeking applications for two more members.

He explained that TDR program was a market-based mechanism that enables the voluntary transfer of growth from places where a community would like to see less development ("sending areas") to places where a community would like to see more development ("receiving areas.")

He said that sending areas could include farmland, forestland, or wildlife habitat. Receiving areas typically included cities or other lands that already have the infrastructure and services to meet the needs of increased growth.

Landowners in sending areas may voluntarily sell the development rights on their land while retaining ownership of the land. The landowner could continue to use the land for other purposes, such as forestry or agriculture. Development rights are purchased by buyers looking to obtain additional development potential in receiving areas (where the community has decided it wants development to go). A receiving area might be a downtown district where a city is looking to encourage second-floor residential development over first-floor commercial uses. The TDR program would facilitate the sale and transfer of these development rights.

Mr. Johnson stated that the purpose of the TDR advisory committee would be to review policy, provide input on key policy technical issues, provide public outreach efforts, and provide information to County staff and the Board of County Commissioners. The TDR Advisory Committee would not be a decision-making body and would not be expected to "vote" on recommendations or achieve consensus on all issues brought before them.

The TDR Advisory Committee would consist of up to 15 members. Most committee members that have already been selected represent groups or organizations that might directly participate in a TDR program, including agriculture, forestry, conservation, builders, developers, real estate professionals, bankers, and city planners. This request for applications is specifically for two at-large members of the committee who may or may not be direct participants in a TDR program but could help to represent the

interests of Skagit County urban and rural residents. The two at-large TDR advisory committee members may live in urban or rural parts of the county and will be selected by the Board of County Commissioners.

Mr. Johnson said the project staff and consultant team included staff from the Department of Commerce Heather Ballash, Forterra staff member Taylor Carroll, Consulting Planner Mark Personius, County Geographic and Information Services staff member Josh Greenberg, County Grant Management staff member Linda Christensen, and County Project Manager Kirk Johnson. He went on to explain the scope of work of the project.

Program Manager of Forterra's Policy Department Taylor Carroll explained that Forterra's role in the TDR project would be to help guide the TDR Advisory Committee. He explained that a TDR program was a program aimed at protecting natural resources. A TDR is a market based technique that encourages the voluntary transfer of growth from places where a community would like to see less development (called sending areas) to places where a community would like to see more development (called receiving areas).

Mr. Carroll provided information about Kittitas County's TDR Program, which was adopted in December 2009.

Heather Ballash with Department of Commerce stated that Skagit County had received the 2012 Governor's Smart Communities Award recognizing outstanding local planning and community development efforts from throughout the state.

Ms. Ballash provided information on The Regional Transfer of Development Rights Alliance partnership, which is an alliance between King County, Pierce County, Snohomish County, Forterra, the Washington State Department of Commerce, and the Puget Sound Regional Council.

She explained the factors needed to develop a successful TDR Program.

Commissioner Wesen said he thought it was critical that the TDR Program work with the Farmland Legacy Program.

Commissioner Dillon said she thought the program was exciting and that the diversity of the committee members was critical.

Chairman Dahlstedt said that he had heard loud and clear from property owners about the importance of property rights. He said it was important that property owners be compensated for their development rights if they were not allowed to build on their land. He said that the public's input would be carefully considered before any decisions about implementing a TDR Program was made.

2. Miscellaneous

Chairman Dahlstedt asked for information about the Shoreline Master Plan Program Update public comment period.

Senior Planner and Project Manager for the Shoreline Master Program Update Betsy Stevenson stated that the public had an informal opportunity to provide comment on the working draft document. She said that written comments would be accepted until the close of business on June 29, 2012, and that no written response to comments received on this draft will be prepared. She said that the public comment period would be part of the formal adoption process.

She reported that it was also important to remember that the Department of Ecology (DOE) had asked Skagit County to furnish a copy of the working draft to them by July 31, 2012. They do not expect it to be complete, but they do want to see that the County was making progress and are on track to complete the update process within the allotted grant period. She indicated that this was just the first round in the process. Ms. Stevenson reported that there would be formal public open house meetings that would be conducted prior to finalizing the draft SMP and the formal adoption process.

A finalized draft document will be completed and the formal notice and adoption process was anticipated to begin in late fall or early winter. Public hearings before the Planning Commission will be held late in 2012 or early 2013. Skagit County anticipates having the SMP adopted by June 2013.

Additional information about the upcoming SMP Update study sessions before the Planning Commission are available on Skagit County's website at <http://skagitcounty.net>, navigate to Planning & Development Services page and check under the heading Planning Projects of Current Interest: "Transfer of Development Rights Project," which will be updated as materials are available.

Chairman Dahlstedt expressed concerns about submitting a draft document to the DOE. He said the public should be allowed more time to provide comment before any documents are submitted DOE, he suggested another 30 days.

Ms. Stevenson reported that the County was required to submit a draft document to DOE as part of the grant requirements.

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

Executive Director of The Arc of Island and Skagit County and Skagit Parent Coalition Joy Caldwell said that she and her family would be leaving the Skagit Valley and moving Bothell due to her husband's promotion. She thanked community for their support and friendship over the last several years.

Executive Director Friends of Skagit County Ellen Bynum said they were interested in monitoring the TDR Committee. She said that it was uncertain whether the Skagit Valley had the market to implement transfers of development rights. She said the key to making an informed decision about the program was to understand the economics. She said she did not think that Skagit County was ready for this type of program.

Seeing no further public testimony forthcoming, Chairman Dahlstedt closed the

public comment period at 11:49 a.m.

V. ADJOURNMENT:

Chairman Dahlstedt adjourned the proceedings at 11:49 a.m.

**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Kenneth A. Dahlstedt, Chairman

Sharon D. Dillon, Commissioner

Ron Wesen, Commissioner

ATTEST:

Linda Hammons, Clerk of the Board