

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
TUESDAY, SEPTEMBER 18, 2012**

The Skagit County Board of Commissioners met in regular session on Tuesday, September 18, 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 8:35 a.m.

II. PLEDGE OF ALLEGIANCE:

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

III. AGENDA:

- a) 8:30 a.m. - 9:30 a.m. Closed Record Appeal No. PL 12-0273 of Special Use Permit File No. PL11-0354 in the Appeal of the Washington State Department of Health Services Juvenile Rehabilitation Administration (JRA) of the Skagit County Hearing Examiner's Decision Dated July 26, 2012

Chairman Dahlstedt made introductory remarks stating that the Commissioners would hear presentations from the Planning Department staff, from the Appellant, and from Respondents, or any Parties of Record, being any person who had testified at a prior hearing on this issue or who had submitted a written statement or formally requested to receive information on this issue. He said that the Commissioners would hear rebuttal first from staff, then from Appellant; up to five minutes each.

Senior Planner Brandon Black stated that the purpose of the hearing was Closed Record Appeal #PL12-0273 by Washington Department of Social and Health Services Juvenile Rehabilitation Administration (JRA), of the Hearing Examiner's Decision denying Special Use Permit request #PL11-0354 to convert two existing, 1,800 square-foot, two (2) story cottages into a residential facility to house sixteen (16) juvenile offenders on the North Cascade Gateway Center Campus.

Mr. Black indicated that under Skagit County Code 14.06.170(10) Closed Record Hearings/Appeal Procedures the Board of Commissioners may remand the matter for further consideration by the Hearing Examiner, or deny and affirm the decision of the Hearing Examiner, or if the Board finds the Hearing Examiner's decision is clearly erroneous, the Board may adopt its own findings, conclusions and decision based upon the record made before the Hearing Examiner.

Mr. Black said that based on the review of the filed Notice of Appeal, Skagit County Planning and Development Services recommends that the Board uphold the Hearing Examiner's decision and deny appeal #PL12-0273.

Washington State Department of Social and Health Services (WA DSHS) Juvenile Rehabilitation Administrator (JRA) Attorney John Meader made an opening statement at 8:49 a.m. and introduced WA DSHS Juvenile Rehabilitation Administration Regional Administrator Patti Omdal, Owner WA Department of Enterprise Services, Asset Manager Nick Cockrell, and Miller Hayashi Architects Bruce Hayashi who were present in the gallery.

Mr. Meader said the proposed use would not negatively impact the health or safety of the surrounding community. He explained the proposed JRA facility was a group care facility as defined in Skagit County Code. He went on to say that JRA respectfully requests that the Board of Commissioners grant the permit or reverse the Hearing Examiner's decision and remand the matter for further consideration under the Special Use Permit procedures.

Josef A. Kunzler of 826 Metcalf, Sedro-Woolley made statements objecting to locating the JRA residential group care facility at the North Cascade Gateway Center Campus. He said that the facility was a safety risk to the Sedro-Woolley area.

Mr. Black provided brief rebuttal statements at 9:04 a.m. He indicated that the group care facility was not meant to be a state or regional correction facility.

Mr. Meader made rebuttal statements at 9:07 a.m. and explained that the facility was unique.

Chairman Dahlstedt thanked the parties for their presentation. He said that under Skagit County Code, the Commissioners were directed to render a decision within 60 days of the appeal. He said the Board would consider the evidence and were scheduled to render their decision in public session on Tuesday, October 2, 2012, at 10:00 a.m. in the Commissioners Hearing Room. He went on to say that this was a quasi-judicial proceeding, which in this instance the Commissioners were sitting as judges, not lawmakers and asked the parties not to attempt to contact members of the Board about this matter before a decision was rendered.

Chairman Dahlstedt indicated that if the parties had questions they could contact Chief Civil Deputy Prosecuting Attorney Will Honea, who was representing the Board in this matter, and was present in the gallery.

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

- b) 10:30 a.m. - 11:30 a.m. Washington State University (WSU) Skagit County Extension - Third Quarter Program Presentation and Update

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

Commissioner Wesen's was absent from this portion of the proceedings as he was attending the Swinomish Channel Dredging Event.

Washington State University Skagit County Extension Director Don McMoran thanked the Commissioners for attending the 90 years of service celebration on August 30.

Mr. McMoran spoke about the potential of remodeling the front office area of WSU Extension office. He stated that in 2014, WSU would be requesting funds from the Port of Skagit and the County to proceed with the front office project.

Administrative Assistant Valerie DeKok discussed the various duties of WSU's front office personnel and explained how the positions were funded. She explained that WSU provided publications and resources that were available to the public online at www.wsu.edu.

Coordinator of WSU Northwest Washington and Immigrant Farming Program Director, Viva Farms Incubator Sarita Schaffer provided an overview of the fall 2012 program and explained that Viva Farms was a privately operated non-profit project. Ms. Schaffer presented a sample of the Community Supported Agriculture (CSA) program wherein customers pay in advance to receive weekly boxes of a variety of seasonal produce.

Horticultural Pest Control Coordinator Talea Price explained that the mission statement of the Horticultural Pest Control Board was to safeguard the economic integrity and stability of the County. She said the Horticultural Pest Control Board was established to monitor and control the spread of invasive insects which are a threat to agricultural products and environmental resources of the county.

Ms. Price explained that Skagit County's agriculture was diverse and that in addition to monitoring and trapping the Apple Maggot Fly, the Pest Control Board were also concerned about the Spotted Wing Drosophila (fruit flies), and the Potato Psyllid.

Skagit County Food Security Assessment Program Coordinator Holly Thompson provided a brief overview of the program. She explained that the solution to help solve the problem of food "in security" in Skagit County was for community groups to collaborate their efforts in education and funding.

Mr. McMoran mentioned that he would be meeting in the near future to discuss the new Family & Consumer Sciences Facility (Food Access Specialist) position.

The Commissioners thanked WSU Extension for the presentation.

Chairman Dahlstedt recessed the proceedings at 11:32 a.m.

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

Chairman Dahlstedt reconvened the proceedings at 11:34 a.m. Commissioner Wesen's absence was excused from the public comment period.

June Kite of Starbird Road in Conway commented about the Envision Skagit 2060 Project. She said that one of the recommendations of the Envision Skagit 2060 Project was the County-wide cooperation with the Skagit Council of Governments. Ms. Kite said she represented Friends of Skagit County who have requested that Long Card Developments be stopped in order to protect rural lands and stop urban sprawl.

Chairman Dahlstedt recessed the proceedings at 11:39 a.m.

d) 1:30 p.m. - 2:30 p.m. Public Works - Henry Hash, Director:

1. Update: Natural Resources Division

Chairman Dahlstedt reconvened the proceedings at 1:30 p.m. Commissioner Wesen joined the proceedings at 1:30 p.m.

Public Works Director Henry Hash and Natural Resources Manager Dan Berentson were present to introduce the agenda item and answer questions.

Surface Water Section Manager Jan Flagan provided a PowerPoint presentation and introduced Watershed Planner Kara Symonds. Ms. Symonds provided information about the Skagit River General Investigation Study. Ms. Symonds went on to provide information about the Local Agency Standard Consultant Agreement for Personal Services with Northwest Hydraulic Consultants for support with the management and administration of flood, stormwater, and drainage projects.

Engineering Technicians with the Drainage Utility Division Nikki Davis and Dianne Crane provided information concerning the process of how drainage and stormwater problems were identified and reported.

Stormwater Coordinator Michael See provided a brief update on National Pollutant Discharge Elimination System (NPDES) Permit Program. He reported on the two (2) grants offered by the Department of Ecology. The grants would be used for the street waste disposal facility and for the low impact development demonstration site project.

Water Resources Section Manager Natural Resources Division Gary Stoyka provided an update on the activities of the Division. He explained that the Division's duties included coordinating the work for water quality monitoring, fish habitat restoration, lake management district coordination, Skagit Marine Resource Committee, and solid waste legacy site environmental management. He indicated that the Division had a total of \$2.1 million in funding for operational costs. \$1.3 million of the funding was provided through special assessments in unincorporated Skagit County and \$800,000 was from grant funding.

Water Resources Section Rick Haley provided information on the monitoring program. Pollution Identified Correction Program Coordinator Mary Sutton Carruthers provided an update on the Clean Samish Initiative.

Natural Resource Stewardship Program Coordinator Emily Derenne provided information about the program. She indicated that funding was provided through the Department of Ecology, and Skagit County Clean Water Assessments. She said the Natural Resources Stewardship Program had partnered with Skagit Fisheries Enhancement Group to work with streamside landowners throughout Skagit County.

Salmon Habitat Specialist Jeff McGowan provided information about the Freestad Lake Barrier Lagoon Restoration project.

Hydrogeologist Margo Gillaspay provided an update on the Inman Landfill, Gibraltar Landfill, Sauk Landfill and abandoned dumps within Skagit County.

Chairman Dahlstedt recessed the proceedings at 2:28 p.m.

e) 2:30 p.m. - 3:00 p.m. Planning and Development Services - Dale Pernula, Director:

1. Permit Review Timelines

Chairman Dahlstedt reconvened the proceedings at 2:33 p.m.

Planning and Development Services Director Dale Pernula said that construction in Skagit County had declined over the past few years which resulted in decreased permit revenues and contributed to layoffs in the Planning and Development Services Department.

Mr. Pernula provided a graph showing the number of days from submittal of an application until the date of initial permit review. He said that from July 2011 through March 2012 applications were relatively few and review times were conducted within an acceptable 30 days. He said that beginning in April 2012, the number of applications increased and the waiting period increased to nearly 70 days.

Mr. Pernula said that in order to improve the situation, a full-time temporary Permit Technician and a full-time temporary Building Inspector had been hired to free up time for Plan Reviewers to do perform their duties and to reduce waiting times for building inspections. He introduced Building Official and Flood Plain Manager Jack Moore, full-time temporary Permit Technician Kate Sharp, and full-time temporary Building Inspector Bob Vanderlinden.

IV. ADJOURNMENT:

Chairman Dahlstedt adjourned the proceedings at 2:45 p.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