

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
TUESDAY, OCTOBER 16, 2012**

The Skagit County Board of Commissioners met in regular session on Tuesday, October 16, 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 8:30 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. Planning and Development Services - Dale Pernula, Director:

Dale Pernula introduced Senior Planner Kirk Johnson.

1. Update: Skagit County Transfer of Development Rights Project

Kirk Johnson informed the Commissioners that the TDR Advisory Committee had two meetings to date and were having diverse conversations. He showed the Commissioners the names of the individuals serving on the committee which included persons from various backgrounds including development, conservation, cities, towns, agriculture, forestry, rural residence etc. and he explained that the role of the advisory committee was to determine how the TDR Program might work in Skagit County. Mr. Johnson said that in approximately one year, the TDR Advisory Committee would make a recommendation to the Commissioners regarding the TDR Program's feasibility and structure.

Mr. Johnson encouraged interested individuals to attend the TDR Advisory Committee meetings. He also confirmed that the TDR Program would be a voluntary program and that Skagit County would not be penalized by the grant if they decided, in the end, not to implement it.

Commissioner Wesen and Mr. Johnson discussed possible impacts the TDR Program would have on Skagit County's Farmland Legacy Program, which would most likely benefit from such a program.

Chairman Dahlstedt thanked Mr. Johnson for the information and said he appreciated the 16 individuals who were taking time out of their own schedules to be a part of the TDR Advisory Committee.

2. Work Session: Permit Review Timelines

Dale Pernula presented a graph showing the average number of days it took Planning and Development Services to review applications for permits. He credited the reduction in days (from 68 days to 28 days) to the recent hire of two additional staff members.

The Commissioners thanked Mr. Pernula for the update and for working on cross-training staff.

3. Discussion & Possible Action: Conservation Easement for Short Plat PL12-0048 Submitted by Steven Kamb for Parcel No. P29235

Senior Planner Brandon Black presented the Conservation Easement and informed the Commissioners that it was being completed in accordance with Skagit County Code 14.16.860, Agricultural Preservation. Mr. Black said that two lots would be created by the

approval of the easement. One lot would be .79 acres in size and includes the existing residence and utilities, and the other lot would be 35.25 acres.

Commissioner Dillon confirmed that the Conservation Easement was permanent. Mr. Black said that the easement would remain in effect until a court of competent jurisdiction found that it was no longer possible to commercially use the parcel for the production of food or agricultural products.

A motion was made by Commissioner Wesen to approve the Grant Deed of Conservation Easement for Short Plat PL12-0048 according to Skagit County Code 14.16.860 submitted by Steven Kamb for Parcel No. P29235. **(Contract No. C20120424)** Commissioner Dillon seconded the motion.

The vote passed unanimously.

4. Discussion & Possible Action: Conservation Easement for Short Plat PL12-0237 Submitted by Robert Lee and Trudy Arnold for a Portion of Parcel No. P33939

Senior Planner Brandon Black presented the Conservation Easement and informed the Commissioners that it was being completed in accordance with Skagit County Code 14.16.860, Agricultural Preservation. Mr. Black said that two lots would be created by the approval of the easement. One lot would be 1.43 acres in size and includes the existing residence and utilities, and the other lot would be 37.57 acres.

The Commissioners asked about the unusual location of the 1.43 acre parcel. Mr. Black informed them that it bordered the existing access road for the 37.57 acre lot and that the location was correct.

A motion was made by Commissioner Dillon to approve the Grant Deed of Conservation Easement for Short Plat PL12-0237 according to Skagit County Code 14.16.860 submitted by Robert Lee and Trudy Arnold for Parcel No. P33939. **(Contract No. C20120425)** Commissioner Wesen seconded the motion.

The vote passed unanimously.

5. Miscellaneous

Planning and Development Services did not have any miscellaneous items to discuss.

Senior Master Ferry Operations Manager Rachel Beck was present to brief the Commissioners on Amendment No. 2 to Skagit County's Vendor Services Agreement No. C20120179 with Foss Maritime Company. Ms. Beck explained that the Amendment would increase compensation by \$30,000 for additional work on the engines, however only \$11,000 was currently needed to fix a coolant leak. Ms. Beck said that they needed some flexibility with the amount so that they could perform any other unanticipated repairs quickly and return the ferry to Skagit County.

The Commissioners discussed the Amendment, ferry engines, and warranty on the work being performed by Foss Maritime Company.

A motion was made by Commissioner Dillon to approve Amendment No. 2 to Vendor Services Agreement C20120179 with Foss Maritime Company for additional work on the annual haul out and maintenance of the vehicle and passenger ferry M/V Guemes, as authorized by Change Order #3. Compensation is increased by \$30,000, for a new total not to exceed \$305,320. All other terms and conditions of the original agreement shall remain in effect, including the end date of April 29, 2013. **(Amendment No. A20120142)** Commissioner Wesen seconded the motion.

The vote passed unanimously.

Director Henry Hash thanked the Commissioners for executing the Amendment. He informed them that the vessel was in good shape for its age, and that when performing maintenance, it was normal to expect the unexpected. He said that Foss Maritime Company was working 7 days a week and two shifts a day to complete the work on the vessel and that Rachel Beck and another mechanic have been supervising the process.

Rachel Beck showed the Commissioners photographs of the vessel and work being performed.

Chairman Dahlstedt recessed the proceedings at 9:18 a.m.

b) 10:00 a.m. - 11:00 a.m. Public Hearing/Possible Action: To Consider Testimony Regarding Revisions to Skagit County Code, Title 7, Animals

Chairman Dahlstedt reconvened the proceedings at 10:00 a.m. and introduced Civil Deputy Prosecuting Attorney Ryan Walters to discuss the proposed revisions to Skagit County Code, Title 7, Animals.

Ryan Walters said that Skagit County wished to clarify the chapter and provide an opportunity for an administrative hearing before the Sheriff for the owner of a potentially dangerous dog instead of having the case go directly to District Court.

Mr. Walters said that notice of the Public Hearing had been published the Skagit Valley Herald and the marked-up proposals and clean copy of the chapter had been provided online. No correspondence had been received regarding the proposed changes.

Mr. Walters discussed each of the proposed changes to Title 7. Commissioner Wesen asked about the microchip requirements. Mr. Walters said they were being proposed for dangerous dogs. Mr. Walters pointed out that Skagit County Code would not apply to the municipal areas, which have their own dangerous dog ordinances. Chairman Dahlstedt opened the public hearing at 10:09 a.m.

Animal Control Officer Emily Diaz was present and asked Mr. Walters to clarify a potentially dangerous dog and a dangerous dog. Ms. Diaz, Mr. Walters, and the Commissioners discussed the two descriptions.

Ed Stauffer of Alger was present to ask that Skagit County notify owners of dogs about any changes to Skagit County Code.

The Commissioners discussed some possible ways they could inform the public about changes to the code: announcement in session, online, flyers, inserted in the quarterly newsletter, a press release, information sent to veterinarians offices.

Ryan Walters said that the Sheriff's Office would be informing individuals directly and that owners of animals already in the system would be notified as well.

Seeing no further public testimony forthcoming, Commissioner Dillon made a motion to close the public hearing at 10:16 a.m., which was seconded by Commissioner Wesen. The motion passed unanimously.

The Commissioners asked Mr. Walters to include microchipping potentially dangerous dogs and then they could sign the Ordinance on the next consent agenda.

A motion was made by Commissioner Dillon to approve that microchipping be updated and the Ordinance come forward on Consent Agenda on October 22, 2012. Commissioner Wesen seconded the motion.

The vote passed unanimously.

Chairman Dahlstedt recessed the proceedings at 10:19 a.m.

- c) 11:00 a.m. - 11:30 a.m. Recognition: Certificate of Appreciation to Kim Mower for Service on the Skagit County Agricultural Advisory Board

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

The Commissioners thanked Kim Mower for her 8 years of service on the Agricultural Advisory Board and they invited others to thank Ms. Mower for her years of service. Kim Mower, Bill McMoran, Don McMoran, Carolyn Kelley, Mike Hulbert, Randy Good, and Steve Olmdahl all spoke.

Commissioner Wesen read the Certificate of Appreciation for Kim Mower's time, dedication, and commitment in servicing on the Skagit County Agricultural Advisory Board rendered on behalf of the people, the community, and in the public interest, faithfully and unselfishly from June 2004 to September 2012.

Chairman Dahlstedt recessed the proceedings at 11:17 a.m.

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

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

Director of Public Works Henry Hash was present to introduce their new Target Zero Coordinator Ken Bergsma. They discussed the position and welcomed Mr. Bergsma. Mr. Bergsma thanked Public Works for the opportunity to continue serving the citizens of Skagit County. He said that prevention, education, and enforcement make a big difference. Chairman Dahlstedt recessed the proceedings at 11:41 a.m.

- e) 11:45 a.m. - 12:15 p.m. Proclamation: Adult Literacy Week in Skagit County

Chairman Dahlstedt reconvened the proceedings at 11:47 a.m. and introduced Rachel Mel from Skagit County Community Action Agency (SCCAA). Ms. Mel discussed the literacy programs offered by SCCAA. Ms. Mel introduced Consuelo Guandique from Skagit Valley College who discussed the ESL and GED programs offered at Skagit Valley College and the partnership they have with SCCAA. Others were present to share their accomplishments which were made possible by participating in the programs at SCCAA and Skagit Valley College.

The Commissioners commended the literacy students for their hard work and they thanked Ms. Mel and Ms. Guandique for the information about their programs.

Commissioner Wesen read the Proclamation regarding October 15 - 21, 2012 as Adult Literacy Week in Skagit County.

IV. ADJOURNMENT:

Chairman Dahlstedt adjourned the proceedings at 12:09 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