

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
TUESDAY, JUNE 18, 2013**

The Skagit County Board of Commissioners met in regular session on Tuesday, June 18, 2013, with Commissioners Sharon D. Dillon, Ron Wesen, and Kenneth A. Dahlstedt present.

I. CALL TO ORDER:

Chair Dillon called the proceedings to order at 8:30 a.m.

II. PLEDGE OF ALLEGIANCE:

Chair Dillon 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:

1. Discussion/Possible Action: Adoption of the International Building Codes

Building Official Jack Moore stated that Washington State had adopted the 2012 edition of the building, fire plumbing, mechanical and energy codes and that they would be effective as of July 1, 2013. He indicated that local jurisdictions could adopt amendments to these codes. Mr. Moore noted that the hearing was advertised in the Skagit Valley Herald and that notice of the proposed ordinance and notice of the public hearing had been sent to Skagit/Island Counties Building Association (SICBA).

Mr. Moore outlined the ordinance which he indicated included the allowance of three new local amendments:

1) 15.04.030(B)(c): Would allow one exempt building, 200 square feet or smaller, for 5 acres of property size, up to a maximum of 4 such exempt buildings.

2) 15.04.030(1)(C): The following projects would be exempt from building/grading permits: work in a public way, projects under \$2,500 in valuation, and uncovered decks less than 30" from grade.

3) International Fire Code (IFC) 308 would be amended to prohibit "sky lanterns".

Fire Marshall Kelly Blaine explained that sky lanterns were the paper lanterns that were lit and launched using hot air.

There was a discussion about whether sky lanterns included hot air balloons, and how to enforce new rules. Mr. Blaine clarified that sky lanterns referred to unmanned devices.

Chair Dillon opened the public hearing at 8:51 a.m.

Seeing no public testimony forthcoming, Commissioner Dahlstedt closed the public hearing at 8:51 a.m. Commissioner Wesen seconded the motion, which passed unanimously.

A motion was made by Commissioner Dahlstedt to approve an Ordinance to adopt the 2012 building, fire, plumbing, mechanical and energy codes with local amendments.

(Ordinance No. O20130001) Commissioner Wesen seconded the motion.

The vote passed unanimously.

2. Miscellaneous

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

Chair Dillon recessed the proceedings at 8:56 a.m.

b) 9:30 a.m. - 10:30 a.m. Board of Health:

Chair Dillon convened the Board of Health at 9:32 a.m.

1. Award for Outstanding Project from the Public Health Quality Improvement Exchange and Update on Activity Projects in Skagit County

Skagit County Healthy Communities Project Coordinator Liz McNett Crowl explained the Quality Improvement and Accountability in Action Skagit Childcare Nutrition and Activity Project (SNAP). She noted that studies had shown that since 2004 Skagit County youth had reported substantial decreases in physical activity. She indicated that the purpose of the project was to help school age children make healthy eating choices, implement physical activity programs in order to decrease the risks that lead to disease and obesity by June of 2010.

Ms. McNett Crowl explained that the results of the project were a 71% increase in physical activity, improved nutritional knowledge and behavioral changes. She explained the difficulties of continuing to access funding for the program.

2. Discussion: Hepatitis A Outbreak and Vaccine Recommendations

Public Health Nurse Amie Tidrington reported that the Center for Disease Control (CDC), the Food and Drug Administration (FDA), and other agencies were investigating a hepatitis outbreak linked to Townsend Farms Organic Antioxidant Blend frozen berries, purchased from Costco. She noted that 400 bags of the berries had been sold in Skagit County and that as of today's date, the illness has affected one case in Washington State. She explained the importance of being immunized and noted that the Hepatitis A vaccine was proven to work on people under the age of 40, and that people who were over the age of 40 should consult their doctor to get the appropriate treatment.

3. Update: Clean Samish Initiative Septic Program

Corinne Story reported that nearly 14,000 letters regarding requirements for onsite sewage disposal systems inspections had been sent to residents of the Marine Recovery Areas, which include the upper northeast Samish Watershed and the Willard Creek Watershed.

4. Update: Group B Water System Changes

Environmental Health Specialist 2 Lorna Parent explained that Group B water systems were systems that had three (3) to fourteen (14) service connections and less than twenty-five (25) people per day or served twenty-five (25) or more people per day during fewer than sixty (60) days per year. She noted that the Washington State Department of Health (DOH) and local health jurisdictions shared administrative responsibilities for these systems. Ms. Parent said that Skagit County Public Health was responsible for the oversight of all Group B water systems in the County.

It was explained that the State of Washington Department of Health had adopted revised Group B Public Water System rules and that local Boards of Health had until January 1, 2014, to adopt the revised rule and update their local code to reflect the changes. Ms. Parent indicated that there would be less oversight by the State with the rule change and that the local Board of Health would need to determine what level of oversight would be necessary.

5. Miscellaneous

Director Peter Browning reported on the Washington State Association of Local Public Health

Officials meeting he attended.

Chair Dillon adjourned the Board of Health meeting at 10:33 a.m. The next Board of Health meeting is scheduled for Tuesday, July 16, 2013, at 9:30 a.m.

c) 10:30 a.m. - 11:30 a.m. Public Works - Henry Hash, Director:

1. Work Session: Hansen Creek Restoration

Chair Dillon reconvened the proceedings at 10:35 a.m. and noted that present in the audience were Port of Skagit Commissioners William Shuler and Steven Omdal.

Director Henry Hash explained that Skagit County had taken the lead in completing multiple restoration projects in the Hansen Creek Watershed as part of a comprehensive plan to improve habitat and reduce flooding as outlined in the 2002 Hansen Creek Watershed Management Plan.

Natural Resource Manager Dan Berentson explained that the 2002 Hansen Creek Watershed Management Plan was initiated by Skagit County to determine a means to decrease flooding and improve fish habitat on Hansen Creek and its tributaries. The Plan stemmed from an agreement between Skagit County and the Washington State Department of Fish and Wildlife to initiate a long-term management plan in exchange for a permit which allowed for the maintenance dredging of Hansen Creek for flood control in 1998. Mr. Berentson indicated that in 1999 Skagit County obtained a grant from the Governor's Salmon Recovery office to hire Miller Consulting and representatives from Watershed Professional Networks to complete the study. He indicated that the study was complete in 2002 and after eleven years most of the projects identified in the study had been completed.

Mr. Berentson noted that the Hansen Creek Alluvial Fan was on the Skagit County Parks property and that a majority of the projects were led by the Upper Skagit Indian Tribe. He indicated that in Reach 5, which is the reach that begins at Highway 20 and extends to Minkler Road, Skagit County had partnered with the Skagit River System Cooperative, the Swinomish Tribe and the Sauk-Suiattle Tribe.

Salmon Habitat Specialist Jeff McGowan provided a PowerPoint presentation and explained that approximately \$5.7 million dollars had been spent on the Hansen Creek Restoration projects. Mr. McGowan reported the Hansen Creek restoration project was located in a 726-acre Skagit County natural resource park, the Northern State Recreation Area. He provided pictures of the project area and indicated that it provided permanent protection, year-round refuge, rearing, forage and migration habitat for Puget Sound fish species, including Chinook, Steelhead, Coho, Chum, Bull Trout, Cutthroat and Pinks, it also includes important wintering and migration habitat for waterfowl and shorebirds in the Pacific flyway. There was a map displayed depicting all the projects in the Hansen Creek area. He discussed other projects taking place in the watershed which include a bridge replacement, 20 acres of wetland restoration in Red Creek, riparian planting along a dairy tributary stream, a private property conservation easement acquisition, fencing and planting.

Skagit Conservation District Conservation Reserve Enhancement Program (CREP) Coordinator Joe Holtcamp explained that the program was administered by the United States Farms Agency as part of the Department of Agriculture. He explained that the Conservation Districts were involved in the program because it was a state and federal partnership between the Farm Service Agency and the Conservation Commission. It was noted that CREP was a voluntary program for agricultural lands adjacent to waterways and that lands enrolled in CREP were removed from production for approximately ten (10) to fifteen (15) years. He went on to explain that acreage was restored through native plantings. In return, the landowners receive a rental payment for the acreage that was enrolled. He went on to say that on Hansen Creek there was a total of thirty-seven and a half (37.5) acres that were enrolled in CREP. He explained that the investment to date was approximately \$150,000.

Skagit River System Cooperative Director of Habitat Restoration Steve Hinton thanked the

Commissioners for supporting the implementation of the plan and bringing it to fruition.

Port of Skagit Commissioners Bill Shuler and Steve Omdal commented on the success of Hansen Creek Restoration project.

County Administrator Tim Holloran thanked the Parks, Public Works departments and the community partners for their passion in protecting the Hansen Creek Watershed.

Commissioner Dahlstedt commented on the balance in protecting resources and providing jobs for economic activity.

Commissioner Wesen thanked everyone for the presentation.

Commissioner Dillon said she was looking forward to more restoration projects.

The Commissioners thanked and identified all of the project partners that helped in the Hansen Creek Restoration project.

2. Miscellaneous

There were no miscellaneous items for Public Works to discuss.

Chair Dillon recessed the proceedings at 11:20 p.m.

- d) 11:30 a.m. - 11:45 a.m. Update from Washington State Department of Transportation Planning and Engineering Services Manager Northwest Region/Mount Baker Area Todd Carlson: I-5 Skagit River Bridge Repair

Chair Dillon reconvened the proceedings at 11:31 a.m.

Washington State Department of Transportation Planning and Engineering Services Manager Todd Carlson reported that the I-5 Bridge paving had been completed, they were currently striping and installing signs. He indicated that the bridge would be reopened before Friday, July 21, 2013. Mr. Carlson explained that freight haulers carrying oversize or overweight loads must still exit and use the detour route. He explained that the speed limit on the bridge would be reduced to 40 miles an hour between State Route 20 and College Way. He reported that Governor Inslee would be holding a briefing in the afternoon today to discuss the Skagit River Bridge job site and invited all elected officials to attend.

The Commissioners commended WSDOT for their hard work in repairing the collapsed lanes and thinking outside of the box to get the bridge opened.

- e) 11:45 a.m. - 12:00 p.m. Board of County Commissioners:

1. Public Comment Period

Carol Ehlers of West Fidalgo Island commented on the Washington Department of Fish and Wildlife public meeting that was scheduled to take place on June 26, 2013, at 6:30 p.m. at the Sedro-Woolley Community Center to discuss the elk population in the North Cascades and the process to update the management plan for the herd. She recommended that people read the book *Nature Wars* written by Jim Sterba. Ms. Ehlers went on to comment on the July 9, 2013, public hearing regarding an Ordinance to amend Chapter 12.18; Solid Waste Disposal System, of the Skagit County Code. She suggested that all legal notices that the County publishes should be on located in one place on the County's website and should always have the appropriate staff contact and telephone number listed in the notice.

Seeing no further public comment period forthcoming Chair Dillon closed the public comment period at 11:38 a.m.

2. Miscellaneous Announcements

Chair Dillon recessed the proceedings at 11:55 a.m.

- f) 1:00 p.m. - 2:00 p.m. Presentation by Dr. Stephen Jones: Proposed Agriculture Innovation Partnership Zone (IPZ)

Commissioner Dahlstedt reconvened the proceedings at 1:02 p.m.

Chair Dillon's absence was excused.

City of Mount Vernon Director of Community and Economic Development Jana Hanson discussed the idea of pursuing the formal application process through the Washington State Department of Commerce for an Agriculture Innovation Partnership Zone (IPZ) designation. She explained that the goal of an IPZ was to stimulate the growth of regional economies by strengthening industry clusters and intellectual capital.

Director of Washington State University of Washington Research and Extension, Department of Crop and Soil Sciences Dr. Stephen Jones explained the benefits of the IPZ designation. He explained the focal point of the overall IPZ program was as a resource development tool for general economic development within the zone. He indicated that the zone would provide an organization infrastructure to support the collaboration around value added agriculture, provide merging research and innovative ideas to produce value-added products.

Economic Development Association of Skagit County (EDASC) Certified Business Adviser Kevin Hoult explained that if Skagit County were given the IPZ designation, EDASC would administer the IPZ.

It was noted that the notice of intent was due on July 15, the application was due on August 30, oral presentation was scheduled for September 19, and that designations would be decided on October 1.

Dr. Tom Keegan President of Skagit Valley College spoke about the College's role if Skagit County received the IPZ designation.

Port of Skagit County Executive Director Patsy Martin spoke about the partnership between the City of Mount Vernon, Port of Skagit, Economic Development Association of Skagit County, Northwest Agriculture Business Center, WSU, and Skagit Valley College.

The Commissioners agreed that funding was a critical component to move the project forward.

County Administrator Tim Holloran encouraged the Agricultural Community to contact all of the partners to discuss their ideas. He discussed bringing an interlocal agreement with the partnership before the Board within the next week.

- g) *2:00 p.m. - 3:00 p.m. Executive Session (Potential Litigation RCW 42.30.110(1)(i))

Commissioners Wesen and Dahlstedt met in executive session on Tuesday, June 18, 2013, from 2:05 p.m. to 2:50 p.m. Commissioner Dillon's absence was excused. The topic was Litigation - RCW 42.30.110(1)(i). (Matters relating to County enforcement actions, actual litigation, or potential litigation.) The following attorneys were present at the executive session and gave legal advice to the Board of County Commissioners: Prosecutor Rich Weyrich, Deputy Prosecuting Attorney Arne Denny, and Patterson, Buchanan, Fobes & Leitch, Inc. Attorney Duncan Fobes. Other Attendees: County Administrator Tim Holloran, Sheriff Will Reichardt, Human Resources/Risk Manager Jessica Neill Hoyson, Under Sheriff Tom Molitor, and Washington Counties Risk Pool Claims Manager Susan Looker.

IV. ADJOURNMENT:

Chair Dillon adjourned the proceedings at 1:25 p.m.

BOARD OF COMMISSIONERS

SKAGIT COUNTY, WASHINGTON

Sharon D. Dillon, Chair

Ron Wesen, Commissioner

Kenneth A. Dahlstedt, Commissioner

ATTEST:

Clerk of the Board